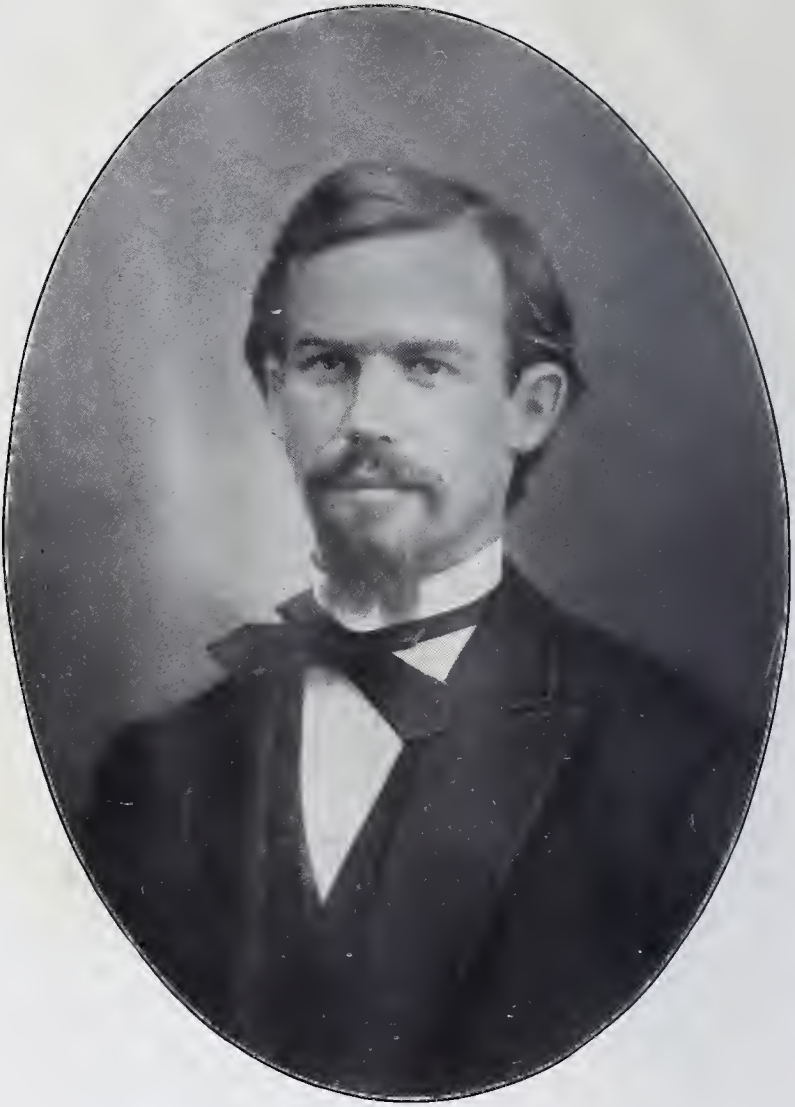
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CHES

BY

THOMAS H. MURRAY



J. A. Murray
(1868)



Thomas H. Murray
(1908)



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SPEECHES

OF

THOMAS HOLT MURRAY

OF

Clearfield, Pennsylvania



Vol. One

NEW YORK EATON & MAINS

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Speeches of Thomas Holt
Murray, of Clearfield,

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by
THOMAS H. MURRAY

TO JENNIE REIGHARD,

MY WIFE

WHO had knowledge of my earlier efforts at writing and public speaking, back of the date of any of these addresses. Even then she had faith in the future of these efforts when few others had. Afterward she naturally and rightfully came to be the inspiration of this, as of all my other work. She became the most discriminating and at the same time the most impartial critic I ever had. To her I am chiefly indebted for what I have, and for all that is best in what I am. She, though now "being dead, yet speaketh."

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PREFACE

THERE is here brought together a few of the many public addresses delivered by the author during forty years of a busy life. Some of them were prepared with great care, more of them when under the stress of other pressing duties, and a considerable number under circumstances preventing any written preparation whatever. These latter are distinguished in "The Contents" by a star, and were either officially reported at the time, or afterward written out or dictated to a stenographer.

This collection includes principally, but not entirely, the shorter and less formal addresses of the author. More elaborate discussion of educational, economic, and moral questions do not appear here. They may or may not appear in a later volume. For this reason only this book is designated as "Volume One." It is intended to be complete in itself and not connected with or dependent upon any further publication. These addresses are put in this form principally for the benefit of his family and personal friends, to whom within a few years, they will be of interest apart from any special merit they may have. For this reason he has not hesitated to introduce, at the outset, a few addresses related to the professional work to which he has devoted his life. They will probably not be of general interest, but will prove interesting to the

persons referred to, and to members of his profession. For a like reason he has ventured to insert among the educational addresses two not delivered by him, but by the one to whom this publication is affectionately and rightly dedicated.

The book is not on the plan of any other book known to the author, but on his own plan, and with reference to the purpose in view. Notes at the end of the volume indicate the surroundings under which different addresses were delivered, and help to explain why these particular ones, instead of others, out of a large number, were selected. If they reach a wider circulation than those for whom they are chiefly intended, let the criticism they receive be tempered by a consideration of the facts here stated, as to the circumstances under which they were prepared, and the chief purpose of their publication. The date of this Preface is the fortieth anniversary of the author's coming to this place to complete his law studies and prepare for the work of his profession.

Clearfield, Pennsylvania, May 29, 1908.

OPENING SPEECH IN A MURDER TRIAL AT CLEARFIELD, PENNSYLVANIA, JUNE 22, 1869

GENTLEMEN OF THE JURY:

This occasion is fraught with its own solemn and peculiar interest. We enter upon the trial of this defendant for the highest crime known to the law. Murder of *any* kind, committed under *any* circumstances, is revolting to all the instincts of humanity. It is a crime which blends strangely and unfittingly, even, with the ordinary offenses against the laws of an enlightened people, and among them all finds no parallel. It naturally brings to mind those early and evil days in the world's history when vice and crime, the legitimate offspring of superstition and ignorance, unchecked by any law, enacted their brutal tragedies. But dark and atrocious in its nature as the crime of murder is, in a great majority of cases, and even in most of those meriting capital punishment, there are mitigating circumstances, tending, though sometimes unjustly, to palliate the measure of guilt. In all such cases great care is to be exercised lest, on the one hand, these favorable circumstances should not be fully considered and receive their due weight; or, on the other, that they draw too hard upon the sympathies of the court and jury, and thus a lower degree of guilt be found than is justified by the evidence. Again, there are times when the fact of the crime having been committed

in some solitary place, or at the midnight hour, unwitnessed by any, save the All-seeing Eye, renders it difficult to ascertain by evidence the guilty party or the degree of his guilt.

But none of these difficulties is to be encountered in the case before us. The defendant has been arraigned for a crime committed in broad daylight, surrounded by a crowd of witnesses; and the commonwealth expects to show that it was an act so cruel in its character, so deliberate in its execution, and so cold-blooded and brutal in its shocking details, as to exclude the possibility of his acquittal, or of his conviction of any lesser offense than murder in the first degree.

Murder, gentlemen, is defined to be *"Where any person of sound memory and discretion, unlawfully killeth any reasonable creature in being, and under the peace of the commonwealth with malice aforethought, either express, or implied."* In Pennsylvania this crime is divided by statute into murder in the *first* degree and murder in the *second* degree. If committed with malice aforethought either express or implied, and deliberation, it is murder in the first degree; if with malice and without deliberation, it is murder in the second degree, and if on sudden provocation in great heat of blood, it may be manslaughter. The prisoner at the bar is charged in this indictment with the willful and premeditated killing of the deceased. The difficulty which culminated in this tragic event originated more than a year ago. In the spring of 1868 both these parties were on the train between Lock Haven

and Tyrone, returning home from down the river. The deceased, who was somewhat intoxicated, was put off the train. In attempting to get on again, as the train was in motion, he was kicked off by the prisoner. At this time they were strangers to each other and never met again until the morning of the twelfth day of last November when they met at a vendue (at the house of Mr. George Hoover in Beccaria Township), where the fatal deed was committed. About eleven o'clock in the forenoon as the prisoner was coming out of the house he met the deceased, who had just arrived. The prisoner, approaching him, said he wanted to see him, or wanted to talk to him. They went off the porch together and were soon seen fighting. The prisoner threw the deceased down, but the deceased turned him under, and the prisoner soon cried, "Enough." They were then separated and got up. Neither party was hurt in the fight. Soon after they got up the prisoner started to run and deceased after him. At this time a bystander was heard to call out: "Why don't you take a club or a stone." The deceased, who doubtless thought the remark was intended for him instead of the prisoner, grabbed up a stone and threw at the prisoner, but missed him. He afterward threw a second stone at the prisoner, which also missed him. They ran out of the yard, through the garden, and back again into the yard. At this time some of the men stopped the deceased, who was about one rod behind the prisoner. They succeeded in getting him pacified, and he had agreed to go home. He had put on his vest and

was in the act of putting on his coat when the prisoner, who had gone around the crowd and got a large knife from the bystander mentioned, returned, *walked up in an oblique direction behind the deceased,* caught him by the vest, and by an overhanded thrust sent the knife to his heart. The knife entered the left breast just above the nipple and penetrated about half-way through the heart. As soon as the prisoner had committed the deed he started off as though he were going to leave, when someone, seeing that the deceased was dead, called out to arrest the prisoner. He then came back and alleged that he had acted in self-defense.

The time which elapsed between the fight and the killing was at least twenty minutes.

These, gentlemen, are briefly the most material facts in this case. There are numerous other circumstances, all bearing upon the question at issue, which will appear at large in the evidence, and which it is not my province at this time to state.

Now, gentlemen of the jury, the plain, simple questions which you are to decide, are: *First,* was there a killing? Upon this point there can be no dispute, as it was witnessed by a large number of persons; *secondly,* did the prisoner unlawfully commit this act, or was it an act of self-defense? And I apprehend that there cannot be much dispute upon this point; *thirdly,* was it done with *malice* aforethought and deliberately? Was there a formed design before the execution of the deed, or was it done in the heat of blood? This malice is the great criterion which distinguishes murder

from every other species of killing. That there was malice in this case we expect to be able to show you by the facts that the prisoner had a grudge against the deceased, and had made threats. Now, the fact of threats being made is clearly set forth in the books as the strongest evidence of malice. We will also show that when the prisoner got the knife, in going toward the deceased, he halted when about midway between the two and paused for a moment. What terrible design received the full sanction of his mind in that awful moment can only be told by the execution of the tragic deed which followed. In further proof of malice and deliberation we will show you that he came up behind the deceased, and after the fatal thrust was made he twisted the knife around in his heart, making a shocking and horrible wound. Having proven these and the innumerable other facts linking with them and forming one of the strongest cases of deliberate murder on record, the commonwealth will ask you to convict this defendant in manner and form as he stands indicted. This is your sworn duty, gentlemen, if the commonwealth succeeds in making out her case. Remember that it is none the less your duty to convict him if guilty than to acquit him if innocent. It is not only a sworn duty, but it is one that is suggested to you by everything that makes the enjoyment of life a sacred right and enables you to rejoice in the protection of your country. For in this trial the officers of the commonwealth bear no ill will to the prisoner at the bar. If he be innocent of the crime with which he is charged, they will rejoice

with him in his joy and gladly bid him godspeed on his return to the bosom of his family. There can be no greater mistake than to suppose that those who act for the commonwealth in a prosecution of this kind, have any greater or any different interest in the result than that which every good citizen ought to have. The commonwealth's officers are not the parties most interested in the result of this trial, neither is it this defendant who has committed his life to your hands. Nor is it the friends of the deceased—the fond wife from whose embrace and protection he has been cruelly and brutally torn away—nor the dear children who during all these weary months have borne amid sighs and tears the bitter consciousness that they will never again greet him at eventide, clamber upon his knee, or enjoy his caresses. Not even these loved ones are the most deeply interested parties.

But wherever there is one who has a home and a fireside, or wherever in our commonwealth there is one who rejoices in that protection which makes life dear to him, he is interested in the result of this trial, just in proportion as he rejoices in the security which she throws around him, and cherishes the hope that all he holds dear in life will be circumscribed by her arms of protection. It was to preserve inviolate these sacred interests that the constitutional right of trial by jury was instituted. It calls from the varied walks of life you twelve men to represent your fellows in sifting from the evidence given upon the stand the truth of the matters of fact attending the commission of this

atrocious crime. Under the instruction of the court upon the law applying to the case, you are to render your verdict according to the evidence. If, upon a careful investigation of the facts as they shall be presented to you, it appear that this defendant is innocent of the high crime with which he stands charged, you are bound by your oaths to acquit. If, upon the other hand, he appears to have committed a willful and deliberate murder, you are just as fully bound by that oath to find him guilty in manner and form as he stands indicted. Your duty, as already intimated, is not simply owing to the friends of the deceased, but more especially to society. It is an appalling thought that murders are of such frequent occurrence; so often of late in the short history of our country have the people instinctively left their avocations and repaired to this court room to witness and participate in a scene like this—a man on trial for having shed his brother's blood, and sent the death chill of terror through their midst. And though each case should stand upon its own merits, yet each repetition of this atrocious crime should at least impress us with the necessity of a vigorous execution of the law. That you will honestly and faithfully discharge the solemn duty which devolves upon you I cannot doubt. I at least hope that you will remember the oath which you have taken, and that you will act in full view of your duty to yourselves, to the friends of the deceased, and to your country, and with reference to the great day when we all shall appear at the tribunal of the Most High.

ARGUMENT IN SUPREME COURT, AT PHILADELPHIA, MARCH 24, 1875, ON EFFECT OF NEW CONSTITUTION ON THE ACT OF 1856, DIRECTING LIQUOR FINES PAID TO THE SCHOOL DISTRICT. PLEA FOR APPLICATION OF FINES TO SCHOOLS AS PREVENTIVE OF CRIME

Under Section 31, of the Act of 31st of March, 1856 (Purd. Dig., p. 947), the school district, and not the county, is entitled to the fine imposed in this case. The plaintiff in error relies wholly upon Section 13, of Article 5, of the constitution of 1873. Even if that section be applicable to the whole state, as contended, still we maintain that it does not change the distribution of those fines which are regulated by the Act of 1856. For the language of the new constitution is not more favorable to the plaintiff than is the language of the Criminal Procedure Act of 31st of March, 1860 (Purd. Dig. p. 396), which provided that all fines in criminal cases "shall be decreed to the commonwealth, but the same shall be collected and received for *the use of the respective counties.*" Surely the new constitution goes no farther when it says such fines "shall be paid into the county treasury." Yet the Supreme Court, in Jefferson County vs. Reitz (6th P. F. Smith, p. 44), have decided that the Act of 1860 does not take away from the school districts these fines which the Act of 1856, and the older law of which it was but the reënactment, gave them.

But we claim that this section of the constitution of 1873 relates only to the courts not of record in Philadelphia, which are provided for by the section immediately preceding, in the same article of that instrument. This seems clear by a comparison of these two sections. It is further evident from the purpose to be accomplished by Section 12. It was to do away with an old system, which had grown corrupt and oppressive, because the compensation of its officials depended upon the number of "fees, fines, and penalties" which Section 13 provides shall now be paid into the county treasury. Section 12 provides "fixed salaries" to be paid by the county to the magistrates, and in lieu of this she receives the "fees" which were formerly provided for them. The provision of Section 13 seems appropriate and necessary, in order to complete the new system of courts not of record provided by Section 12.

That Section 13 was intended by the framers of the constitution to apply only to the courts of Philadelphia seems clear from the whole tenor of their discussions upon this part of that instrument. Indeed, the section as first proposed provided for a payment of fines into the "city treasury," and was afterward changed, by amendment, to its present form. (Debates of Const. Con., Vol. IV, pp. 257, 273, 274, 316, 488, and Vol. VI, p. 338.) No such construction as is contended for by plaintiff in error is warranted by the language employed in this section. If the convention had intended so sweeping a change as would follow such construction,

they would have indicated it in the plainest terms.

One argument of plaintiff in error is that the county has a peculiar claim to these fines, because she bears the burden and expense of the courts in which they are enforced. But a wise and safe principle by which to regulate the distribution of fines is to appropriate them to those purposes which are designed to lessen the amount of crime. This principle has been recognized in the past history of the commonwealth. By the payment of these fines to the school districts the cause of education is advanced, and in the same proportion crime is reduced. Nothing else so tends to relieve the county of the burdens and expense of the courts as the education of the people.

IN REPLY TO THE AMENDED BRIEF OF COUNSEL for plaintiff in error, filed since the case went over last year under their application, I make five propositions, which I respectfully submit as a complete answer thereto:

I. The indictment and conviction in this case were not altogether under the Act of 1867 but under the Act of 1856, and its supplement, the Act of 1867. The Act of 1867, alone, does not cover the offense. The first count of the indictment, to which defendant pleaded guilty, charged him with "keeping a tippling house" and "selling liquor without license." The Act of 1867 does not include such an offense. Its fourth section prescribes the penalty for a sale without license, but for the other feature of the offense, keeping an unlicensed house where

liquors are sold or drank, which is the main feature of the ordinary offense intended to be covered by the first count, we must go back to the first section of the Act of 1856, which is in these words: "From and after the passage of this Act it shall be unlawful to keep and maintain any house, room, or place where vinous, spirituous, malt, or brewed liquors, or any admixtures thereof, are sold or drank, except as hereinafter provided."

II. The Act of 1867 does not grade the offense, as did the Act of 1856. It does not create any offense further than may be implied from prescribing the penalty for a sale without license. The Act of 1858, Section 11, declares the penalty for an unlawful sale, and, following the Act of 1856, pronounces the offense a misdemeanor, but does not define what constitutes an unlawful sale. For this we are referred back to the Act of 1856. It seems very evident that both these latter Acts are but parts of a more complete system which precedes them. That system we find in the Act of 1856. The place is considered in Updegraph's case, 6 S. & R. 11.

III. The Act of 1856 is the general license law, and is entitled, "An Act to regulate the sale of intoxicating liquors." Its purpose was to prohibit unlicensed sales. Each one of the subsequent Acts on this subject up until 1872, including the Acts of 1858 and 1867, is a supplement to the Act of 1856, and is so entitled. This original Act furnished an elaborate and complete system. The purpose of the others was to supplement rather than repeal its

provisions. The fine in this case was for an offense against the original Act rather than its supplements, because the principal elements of the offense were prescribed by the original Act and are not included in the supplements.

IV. One of the distinct provisions of this general system is Section 31, distributing the fines, penalties, and proceeds of forfeited bonds, under which the school district claims the fine imposed in this case. It is a general and not a special provision, and as such includes every fine imposed under the system, whether for a violation of the original Act or one of its supplements. It is as broad in its terms and in its scope as the system of which it forms a part. In pursuance of the authority given by this section, the learned court below directed the fine to be paid to the school board of Osceola. This decision was right unless in some way that Section 31 has been repealed. The proposition of plaintiff in error is, substantially, that Sections 11 and 22 of the Act of 1858, and Section 4 of the Act of 1867, have operated to repeal it by implication. We deny this for several reasons:

1. Because the Acts of 1856, 1858, and 1867, being upon the same general subject, are to be taken together as if they were one law. (9 Bacon's Abr. Title Statute, 243.) The Act of 1856, being an original complete Act, and the others amendments to it, this rule is still more imperative, and these later Acts are to be construed as if at first incorporated in the original law, and the whole must stand together, except so far as there is an express repeal,

or repugnancy so great as to amount to repeal by implication; and "specific repeal of one or more sections of a statute raises a clear implication that no further repeal was intended." (State vs. Morrow, 26 Mis., 5 Jones, 131; 12 Annual U. S. Digest, 1858, p. 682.) Now, the sections of the amendments relied on by the plaintiff in error, as repealing Section 31 of Act of 1856, contain nothing repugnant to that section. Besides this, they expressly repeal certain other sections of the Act of 1856, thereby raising a clear implication that no repeal of this section was intended.

2. Because it was the manifest intention of the Legislature that this section should not be repealed. The proviso in section 11 of the Act of 1858, quoted by plaintiff as repealing Section 31 of the Act of 1856, is not so much a repealing as a saving clause. It is as follows: "*Provided,* that this section *shall not be construed* to repeal any act or part of an act punishing such unlawful sale, except the Twenty-eighth Section of an Act to regulate the sale of intoxicating liquors approved March 31, 1856, which is hereby repealed." Also Section 22 of the Act of 1858, quoted for the same purpose, after expressly repealing Sections 14, 26, 27, and 32 of the Act of 1856, carefully provides that "all provisions of said Act not hereby altered, supplied, or repealed shall apply as fully to licenses granted under this Act as under the Act aforesaid." This Act of 1858 contains the strongest evidence on its face of the intention to retain in force the provisions of the Act of 1856, in so far as they were not expressly repealed.

3. Because this Section 31 is in harmony with the existing law on the subject, and its repeal would be inconsistent with the law as it now stands. For instance, the rule of distribution which is established applies not only to the fines of Section 28, but also to the proceeds of forfeited bonds mentioned in Section 10, of the same Act. Now, it is not claimed that Section 10 is repealed. On the contrary, Section 24 of the Act of 1858 qualifies this Section 10 by limiting the liability on the bond to the amount of fine and costs imposed for the offense which works a breach of the condition of the bond. But under the rule of construction contended for by plaintiff in error, it would occur, in some cases, that if a defendant himself were made to pay the fine, the county would receive it, while if it were recovered from his bail it would go to the school district. This would be a distinction with no principle to sustain it. Again, while Section 31 of the Act of 1856 divides the fine between the school district and the informer or prosecutor, Section 12 of the Act of 1858, prohibits the informer or prosecutor from receiving any portion of the fine in case of a prosecution for an illegal sale. This provision, when taken with Section 31, is equivalent to a direction that the school district should thereafter receive all the fine instead of two thirds thereof as before. Then, again, the latter clause of Section 22 of the Act of 1858 provides that the fine of five dollars for intoxication, prescribed by Section 29 of the Act of 1856, "shall in no case exceed two dollars, which shall be paid to the *treasurer of the*

school district where such conviction is had, by the magistrate collecting same." Now, in these several instances the Legislature of 1858 dealt with this Section 31, but they made no attempt to repeal the distribution to the school districts. On the contrary, they enlarged the rights of the districts under that section. All these provisions of the Act of 1858, thus recognizing this section, and giving to it the construction we contend for, are still unrepealed and stand as a part of the general law.

V. The rules of construction applicable to the case support the view taken:

1. The law does not favor repeal by implication, nor is it to be allowed unless the repugnancy be quite plain. "Although two Acts are seemingly repugnant, yet if there be no clause of non obstante in the latter, they shall, if possible, have such construction, that the latter may not be a repeal of the former by implication." (9 Bacon's Abr. Title Statute, p. 228; 1 Kent's Com., p. 524; Com. vs. Herring, 6 Cush., p. 465; Shinn vs. Com'w'th, 3 Grant, p. 206; Somerset and Stoystown Road, 24 P. F. S., p. 61.)

2. "It is not sufficient to show that the subsequent law covers some or even all of the cases for which the former provided, for it may be merely affirmative, or cumulative, or auxiliary. To create repeal by implication there must be a positive repugnancy, and even then the old law is repealed by implication only to the extent of the repugnancy. The repeal by implication must be so clear as to leave no reasonable doubt that such was the intention of the

Legislature. It should not be deduced by an *ingenious course of argument,* but should appear 'at once.'" (4 Abbott's National Digest Title Statute, p. 238.)

3. It is upon this point that the question of repeal by implication turns—the repugnancy of the new statute to the old. Perhaps the only exception to the rule is "where the new statute clearly prescribes the only rule to be observed, then the former statute, though not repugnant in all its provisions, is repealed by implication." "In affirmative statutes such parts of the prior as may be incorporated into the subsequent statute as consistent with it, must be considered in force." (Davies vs. Fairburn, 3 Howard, p. 636; 1 Kent's Com., p. 524.)

4. The cases cited by the plaintiff in error are in accordance with these principles. In Norris vs. Crocker, 13 Howard, p. 439, it is ruled that the Act of Congress of 1850 repealed by implication the Act of 1793 so far as related to the penalty, and that no action could be maintained to recover it, not merely because the new Act prescribed a different penalty but because it was an affirmative statute covering every offense in the old statute and *made a new rule of distribution,* appropriating the penalty to the government, instead of to the owner of the fugitive, as in former Act, and was, therefore, plainly repugnant to that Act. In Johnson's Estate, 9 Casey, p. 511, this court affirmed the same principle. There the laborer's Act of April, 1849, is held to repeal the Act of January, 1849, because the former introduces a new rule inconsistent with

the latter and clearly repugnant to its provisions. But none of these conditions are found in the present case applying to the section in dispute. So that both from the tenor of the various Acts, and the accepted rules of construction, Section 31 of the Act of 1856, remains in force.

For these reasons we think the court below was right, and the decree should be affirmed.

ARGUMENT BEFORE THE UNITED STATES COURT OF APPEALS, PHILADELPHIA, PENNSYLVANIA, OCTOBER 4, 1899

May it please the Court: The testimony in this case differed from that in the former trial of this case principally in two respects. There was testimony on the former trial of a line north from the beech of William Smith survey which did not appear on this trial. There was on this trial a large amount of preliminary testimony explanatory of the work of 1808 and 1811 found on the ground. Before proceeding regularly with the argument I desire to call attention to some of the misstatements of the distinguished counsel for the plaintiff in error who has just addressed you, made, doubtless, inadvertently. First, he says there is no dispute that the sugar north of the beech was original. An examination of the record (pp. 98 and 144) will show the sugar was not counted to the alleged date of the survey, but it was stated by the witnesses for plaintiff that it was decayed at the heart and could not be counted more than eighty some years. Next, it is said that the beech bore marks of 1794 on three sides, east, west, and south. An examination of the record (pp. 43 and 102) will show that there was but one mark upon the west side of the beech; that there was not only but one mark existing on that side but that the mark on that side was a single mark and not of three notches to

denote a corner. Again as to the old road alleged to be north of the beech thirty perches, instead of being undisputed, as assumed by counsel in stating the facts upon which the court was asked to give binding instructions as to the effect of the calls, it is the fact that nothing else in the case was more disputed than that there was any vestige of any kind of a road at any point within one hundred perches of the beech other than old log roads. This will appear on page 100 of the record. Not only by testimony, but by photographs and maps, was this allegation controverted.

In answer to all that has been urged upon part of plaintiff in error, we make three propositions:

First: That in the admission of the preliminary evidence, and in the effect which the court gave that evidence in the charge to the jury and in the answers to points, there was no error.

As to the admission of this testimony: It consists of five different items, the subject of the first, second, third, fourth, and fifth Assignments.

(1) Letters of Charles Smith, of January 18, and April 6, 1808, both referring to the Caveat and to the partition, which letters are the subject of the first Assignment of error.

(2) Deed of partition of March 10, 1808, which is the subject of the second Assignment of error.

(3) List of surveys handed by Vickroy to O'Keefe, and O'Keefe's receipt thereon dated the 3d day of November, 1808, which is the subject of the third Assignment of error.

(4) Record of proceedings before the Board of

Property, showing Caveat proceedings from 1795 to 1801, which is the subject of the fourth Assignment of error.

(5) Agreement settling the Caveat dispute dated the 8th of January, 1801, and signed by the parties thereto, Dr. Smith of the one part, and John Musser, for Musser and Grant, of the other part, which is the subject of the fifth Assignment of error.

On the question of the admissibility, something depends upon the relation of these papers to each other, and if any one or more of them is admissible on its own merits, and it refers to another or others, that other or those others thereby become admissible upon a familiar principle. Now, applying that principle to these different papers, we find the letters of Charles Smith, embraced in the first Assignment, refer to the partition proceeding which is the subject of the second Assignment, and to the Caveat proceeding and settlement thereof, which is the subject of the fourth and fifth Assignments, leaving only the list of surveys and account embraced in the third Assignment as not referred to by the letters. I, therefore, first call attention briefly to the ground upon which these papers embraced in the third Assignment are claimed to have been evidence. They were offered for the purpose of showing the relation between Vickroy, who was the assistant of George Woods, and also the agent of Smith, and O'Keefe, who was the acting surveyor of the district in 1808. Vickroy, for Smith, hands to O'Keefe a list of forty-seven surveys, embracing the Smith surveys involved in this controversy.

He obtained from O'Keefe a receipt for the returning fees paid by him for Smith, not on forty-seven surveys, *but on thirty-eight surveys,* as some of the surveys in the list were for Nicholson, and these were not surveyed nor returned for Smith, as appears by the correspondence. The account attached has two important items in it; one is, a charge for witness fees on the Caveat hearing on the 27th day of January, 1801, doubtless made after his return from the hearing at Lancaster, and in the same month that the Caveat proceedings were settled by the parties, and the final order thereon made by the Board of Property. The other item is thirty-five pounds six shillings for surveying done in the months of June and July, 1808, "Lands on Conemaugh." "Lands on the Conemaugh" is the designation given by Dr. Smith and Charles Smith, as well as by Vickroy to the Smith and Nicholson lands, and it is significant that this large amount of surveying was done in the very months when we allege the final location was made of these lands, as against the allegation upon the other side that they were finally located in 1794. That much as to the admissibility of what is embraced in the third Assignment. As the letters of Smith refer distinctly to all those embraced in the other Assignments, we inquire whether these letters were admissible; and we maintain that they were admissible, if for no other reason, because they are the written declarations of the then owner of the lands to his agent, who was also the assistant deputy, with respect to the final location of these lands. But these letters

are admissible because they and the other papers therein referred to, together establish the following facts:

That the Caveat proceeding was instituted on the 4th day of April, 1795, and was not ended until the 10th day of January, 1801, when it was ended by the order of the Board of Property of that date, reciting an agreement made as of the 8th of January, 1801. That a partition was contemplated between Dr. Smith and Nicholson's representatives, which became desirable and was doubtless suggested by reason of the insolvency of Nicholson, and the proceedings by the state to secure its claim against him, and the necessity of a public sale of his interest in this as well as other lands, whereby, without partition, Smith would have become jointly interested with new and unknown purchasers. The partition was not consummated until the 10th of March, 1808, the very year in which the disputed work is found upon the ground, and in which we allege the final location was made. That both these proceedings were recognized by Dr. Smith in his letter of August 10, 1800, and by Charles Smith, his son and executor, in the letters embraced in the first Assignment as reasons for delay in the location of these surveys. That as soon as these proceedings were out of the way, to wit: on the 6th of April, 1808 (within three weeks after the date of the deed of March 10, of that year), Charles Smith wrote to Vickroy, "I am now able to give you a full account of the transactions between myself and the Nicholson commissioners," and in a further part of his

letter urges him to "make speedy survey and return of the partnership lands."

Great force is given to this testimony as bearing upon the work of 1808, by the two old drafts offered in evidence, which are not the subject of any Assignment here. One of these drafts was designated as the partition draft. It will be observed by the terms of the deed of partition, and by the letter of Charles Smith of April 6, and by the draft itself, that on each of them is a division of the warrants between Smith and Nicholson, those allotted to Nicholson being marked with a star in the Smith letter, and those to Smith marked "ours," while those to Nicholson are marked on the partition draft by the name of Nicholson written on the tract and the name of Smith on those allotted to Smith, and the same division is contained in the deed of partition. We will now observe that by the division the James Duncan survey, owned by the defendant in this suit, was *a Nicholson survey,* while the Isaac Brannan, owned by the plaintiff, was *a Smith survey,* and the line between them is the line in dispute on the trial below and here. This partition draft is alleged to be the draft to which Charles Smith refers, both in his letter of January 18, and in that of April 6, 1808, as being the draft having red dotted lines and marking the division between the surveys which went to Nicholson, and those which went to him. Now, I will show your honors this old draft, and on it you will find the cedar claimed by the defendant as the southwest corner of the Isaac Brannan, *located forty-four perches west of*

the beech, and northwest corner of the William Smith survey. Not only does that appear by scale, but the 44 perches are marked on this old draft, and the division line on this draft between the Brannan and the Duncan is marked with a red dotted line having at its south end this cedar 44 perches west of the beech of the Smith. This red dotted line turns at that point and runs westerly along the line which marks the division further between the Smith surveys on the north and the Nicholson surveys on the south, so that there appears evidence here upon this old draft, which is identified, not only by its red dotted lines, but by its relation to the partition deed, and to the Smith letter, in that it contains the same allotment or division that appears in both of these papers, that instead of the cedar the southwest corner of the Brannan being identical with the beech, the northwest corner of the Smith as alleged by the plaintiff, it was found on the ground 44 perches away where it is now claimed by the defendant. Furthermore, it is to be kept in mind that this old draft is the work, *not only of Vickroy, but of Smith, the owner.* The correspondence shows that Vickroy had prepared the map, it being in his handwriting, that he had forwarded it to Smith, that Smith returned it to him with his letter of April 6, 1808, which letter is the first announcement by the owner to his agent of the result of this long pending partition, and in that same connection illustrated by this draft, he not only indicated the division but he puts the division line to the very corner and at the very place which

is now claimed by the defendant. But, as already stated, we offered another old draft, known as the outline draft, which I will now also exhibit. The purpose of this draft was to show primarily that, as was very common at that day and since, there was an outline survey in the first instance which embraced only exterior lines and not interior lines. This draft is shown to have been in the handwriting of Vickroy. He has in the upper left-hand corner this indorsement: "Sugar at the old camp where Dr. Smith, Patrick Cassiday, Thomas Vickroy, and William Clark met on the 14th of June, 1794." This draft shows the base line and other exterior lines embracing some of the surveys in dispute. It also shows exactly, as does the partition draft, that the cedar claimed by the defendant is a cedar 44 perches west of the beech. That appears on this map by scale; on the other, not only by scale but by figures. It is also very significant that both on the partition draft and on this draft there is a designation on this base line of the corners which mark the division lines running south and those running north, and that commencing at the southwest corner of the Richard Smith and continuing to the angle of the Charles Smith, there is a gradual increase in the distance of just 11 perches. The first distance is 22 perches, the second is 33 perches, the third, which is at the point in dispute, is 44 perches, and the fourth is 55 perches. On the S. Blodget (now superseded by the B. George) there appears a transposition of corners; that is to say, there is called at the northwest corner of the Blodget a

beech, while there is found a hemlock, and there is called at the northeast corner a hemlock, while there is found a beech. Your honors will recall that that mistake not infrequently occurs from the practice of the surveyor after he had done his work upon the ground, by making his return in his office, and inadvertently a corner was returned at the opposite side from where it was found, and a like error upon the corresponding corner. Now it is significant that while this mistake in the return of the Blodget occurs, and the two different corners are found on the ground, that both on the partition map and in the outline map there is marked for each of those corners the corners that are actually found, and not those returned. In each of the other corners on the base line there is found on the old maps the same corners that are returned and also found on the ground. These several distances are indicated on the outline map by scale and in the partition map by actual figures. We maintain, therefore, that not only upon their own merits are the papers embraced in these several Assignments admissible, but that any question as to their admissibility is removed by the relation of these drafts to the matter in controversy and to the letters.

Having offered this preliminary proof, which occupied five days, we then proceeded with evidence of location, showing the base line referred to, marked as of 1808. Also marks upon the eastern line of the Isaac Brannan, as claimed by defendant, and marks upon three sides of the beech at the northwest corner of the William Smith, 44 perches

distant from the cedar of the Isaac Brannan. The testimony also showed the eastern line of the Nicholson south from the cedar, and the southern line of the Nicholson exceptionally well marked as of 1811. There were some facts in this testimony of great importance as it seems to us. The Nicholson deed of partition shows John Nicholson survey allotted to John Nicholson. That survey appears to have been located upon the ground by William O'Keefe, as evidenced by his handwriting in the body of the return, while the Brannan and the Smith, which belong to Smith, appear to have been located by Vickroy as evidenced not only by the written direction of Charles Smith to him to locate but also by his handwriting in the body of the return. This condition as to the persons who did the actual work of locating explains a discrepancy in the location of the Nicholson by Vickroy and by O'Keefe. In the partition draft Vickroy plots the Nicholson survey to its call for the Smith, but when O'Keefe, three years later, actually located the Nicholson he located it 44 perches short of that call, and put it to its call for the cedar of the Brannan, and he returned it to the land office that much narrower and with enough increase in the length to correspond with what had been taken off its width. Another fact important is that no undisputed work of 1794 affecting this location is found east of the Robert Erwin upon the eastern side of which was found a beech, the location and date of which in 1794 is wholly undisputed. To show that the work of 1808 and 1811 corresponds

to the only undisputed work of 1794, the defendant showed that by measuring from this distant point to the cedar, as claimed by defendant, *there was less than* 100 *perches discrepancy.* There was not only no undisputed testimony of an original line north from the beech but there was no testimony, disputed or undisputed, of actual count of any tree north of the beech, except the birch, the date of which, and the fact of its being an ax mark at all, were not only disputed by defendant's witnesses, but questioned by one of the leading surveyors for plaintiff. The mark of 1794 upon the beech of the William Smith was, of course, common to both surveys, because it was upon the eastern side and indicates a line east and west, and that line as well as the line south from the beech was common to both locations. This is not only a matter of necessary inference, but was testified to by William P. Mitchell, plaintiff's surveyor, as appears by record (p. 100). Another most vital fact appearing by this testimony is this: the Richard Smith is the tract immediately west of Isaac Brannan. The Brannan calls for a cucumber, and the existence of a cucumber tree at that point, and the location to it, not only by surveyors but by Dr. Storm, the original owner, appears by the testimony. At the southwest corner of this Richard Smith a hemlock is called for by it and the other Richard Smith lying west and cornering at the same point. That hemlock was found on the ground counting to 1808, and that corner is fixed, not only by this hemlock, but also by Laurel Run,

which passes within a few feet of the corner, and is called for by the second Richard Smith as passing by the corner which is also found on the ground. Starting from this point and measuring the breadth of the four tracts, there is found for the first Richard Smith at its southwest corner both the tree counting to 1808 and the stream, and the distance for each of these four tracts, Richard Smith, Isaac Brannan, James Duncan, and Charles Smith, on the ground corresponding within 5 perches of the official distance if located as defendant claims the location to be. Furthermore, the hickory called for both by the Charles Smith and the James Duncan is found in position counting to 1808. The cedar in the angle of the Charles Smith is also found on the ground, the date not ascertained. The gradual increase in the distance for the corners marking the division north and the division south also appears on the ground, as on the official connection, and on the partition draft, being 22 perches at the southwest corner of the Isaac Brannan, 44 perches at the southwest corner of the James Duncan, and 55 perches at the southwest corner of the Charles Smith. The force of this testimony is in the fact that the stream marking the corner of the Richard Smith *was on the ground in* 1794 *as well as in* 1808, and is another circumstance showing that the work of 1808 conforms to the outline work of 1794.

The second branch of our first proposition is that the court committed no error *in the effect given this preliminary proof* before the jury. The portion of

the charge and answers to points in which the court dealt with this testimony, are embraced in the 7, 8, 10, 15, 17, 21, and 22 Assignments. In the 7th and 8th Assignments the court said in substance that while the survey of the Isaac Brannan was to be taken as a survey of 1794 under the return, still it was the law that a surveyor had the right to change his survey at any time before making his return, provided this change was made with the consent of the owner. This ruling, we maintain, was in accordance with the authorities, except that the change may be recognized without proof of the consent of the owner. That is a matter of inference under the authorities we have cited. The court said to the jury in effect, in the language embraced in the 10th, 15th, and 22d Assignments, that this preliminary testimony was only to be considered by them in the event that they were unable without it to discover the lines of 1794, and then only for the purpose of aiding them in making that discovery. The language complained of in the 17th Assignment as putting too great a burden of proof on the plaintiff, is rightly coupled with similar language in the 19th Assignment, for by the language immediately following that quoted therein, it will appear that the court only said to the jury, that if the testimony together left the question evenly balanced in their minds, the plaintiff was not entitled to their verdict, and taken in connection with the affirmance of plaintiff's fourth and fifth points it will be perfectly clear that the court instructed the jury, that if upon the whole testimony a preponderance in

favor of the plaintiff appeared, that that condition of the evidence entitled the plaintiff to the verdict. Keeping in view, then, the sole purpose for which the jury were permitted to look at this evidence at all, and the restrictions which the court threw about it, we respectfully submit that less force was given to it, and less effect than the authorities in our brief would have justified.

Second: The question of the connection of the Brannan, Smith, and Nicholson at a common corner as claimed by plaintiff was at most a question for the jury, and was so submitted. In answer to the plaintiff's fourth and fifth points the court submitted to the jury the question of whether, under all the testimony, the three surveys come together at a common corner. In the plaintiff's sixth point and also in his sixteenth and seventeenth points, the court was asked to go a step further and to say as a matter of law that in absence of 1794 marks, to restrict the surveys short of their call they must come together at a common corner. This, we say, was further than the court was justified in going under the evidence, and that these several points which are the subject of the 12th, 13th, and 14th Assignments, were properly refused. There must be some rule fixed by which it may be determined whether a call of a survey is an operative call in such sense as to become a matter of binding instruction. It will not do to say, as has been repeatedly ruled, that the mere fact that the name of one survey is written outside of the line of another survey is such a call. The true rule is found in the

case of Henry vs. Henry, 5 Pa., p. 249, and repeated in Malone vs. Sollada, 48 Pa., p. 419, where it is said that when a survey calls for another it must call for a line of that other and adopt it. Now, if the line of that other survey is indicated by living monuments, and the call not only does not adopt those monuments but calls for other living monuments, it is not such a call as to be operative in the sense that it can be the subject of binding instructions. Well, applying that rule to this case, what do we find? In a portion of the general charge, embraced in the 6th Assignment, the court said very properly that the Brannan calls for a cedar, and the Smith calls for a beech, and that, therefore, the question of whether they come together is a matter of proof. *That statement goes to the very center of this case and touches upon the very question upon which the whole case hangs.* It can be fairly said of the contention of the plaintiff that his whole case hangs upon the allegation that the Brannan, although it calls for its own corner, goes to the Smith, which calls for its own separate corner, each found on the ground 44 perches apart. The Brannan does not call for the Smith, nor for any monument of the Smith. The Smith does not call for the Brannan, nor for any monument of the Brannan.

It is contended, however, that the effect of the call of the Nicholson is to join the three surveys. Now, the Nicholson, it will be observed, is the only one of the three surveys which calls for a cedar near a beech. The contention of the plaintiff is that the cedar alleged to be found three feet and

nine inches from the beech of the William Smith is that cedar. The contention of the defendant is that if that cedar has any relation to the beech, it is the cedar of the defendant found twenty-seven feet south of the beech. But the Nicholson, according to the defendant's theory, was only completed in location in 1811, and, therefore, could not have any effect whatever upon the location of the Brannan or the Smith, which were located finally and returned in 1808. But assuming the plaintiff's theory to be correct, that the Brannan and the Smith, and the Nicholson were each finally located in June, 1794, how does the question of calls stand? The Nicholson is not of the same date of warrant as the Brannan, it being dated the 21st of December, 1792, and the Brannan the 25th of March, 1794. It is not of the same date of return as either the Brannan or the Smith. They are both returned on the 28th of November, 1808, while it was not returned until 1811. The Nicholson is, therefore, not of the same block as either the Brannan or the Smith, for the elements of a block are unity of date, of warrant, of location, and of return of surveys, and ownership. In the case of a block location the members of the block do not obtain priority over each other, ordinarily, by reason of the difference of a few days in the dates of the survey, as ruled in Sugar Valley Lumber Company vs. Barber, and other cases. But in the case of location of separate surveys priority of date, if it be but a single day, fixes priority of location. Now, it is manifest that the Nicholson is to be located as a single survey

and governed by the rule applied to single survey location. If so, what is its date of location with respect to the date of the Brannan and Smith in order that the value of its call for them, or their call for it may be determined? For if it be a younger survey, it can have no controlling effect upon their location by its call; and if they be younger surveys than it, they can have no controlling effect upon its location by virtue of their calls. But if plaintiff's theory is correct, then each of these surveys was located in June— 1794, the date not given, and, *therefore, the value of the calls cannot be determined.* But there are other more serious difficulties in treating the reciprocal calls of the Nicholson and the Smith for each other, as being the subject of binding instructions. The Smith calls for the Nicholson, and calls for it as having a beech at the north end of the division line, and a post at the south end, and each survey of same length, as indicated by the projecting lines on the return, while the Nicholson calls for the Smith as having a cedar at the north end of the division line, and as being unequal in length with the Smith, being 44 perches longer, and having a cedar at the south end of the line, and the Smith cornering on that line 44 perches short of that southern cedar. In other words, each survey calls for living corners which are not adopted, but repudiated by the reciprocal call. Furthermore, the western line of the Smith is not shown to be located on the ground. That that line is a plotted line appears, not only by the entire absence of any marks of 1808

or 1794, except at the northwest corner, the oldest tree on the line being a tree of 1824, and also by the return, which, while it shows a beech at the north end of the western line, calls for a post at the south end. The call for a post is, ordinarily, evidence of plotted work. Now, that being so, there is nothing to indicate the existence of that western line of the Smith except the single monument, the beech, and, therefore, the call of the Nicholson for the Smith, when it fails to call for a beech, is a call which repudiates the *only mark which fixes the existence* of that plotted line.

Of course the theory of the plaintiff was that the cedar called for by the Nicholson was so close to the beech as to be identical with it, but whether that theory was true, or the theory of the defendant, that the cedar called for by the Nicholson was the cedar twenty-seven feet south of defendant's beech, certainly could not be determined by the court, but must be submitted to the jury, as was done in answer to the plaintiff's fourth and fifth points. Therefore, in no view that can be taken of the calls of these respective surveys for each other could they be a matter of binding instruction to the jury. A survey which calls for another without adopting the line or monuments of that other survey upon its line, may go to that survey, but it cannot be said prima facie, or as a matter of law, that it does go to that point. So of a survey called for which has but a single living monument, and that monument found on the ground and not adopted by the survey calling for it.

Third: The acts and coincident declarations of Dr. Storm were of such a character as to be of weight with the jury; and, therefore, the court committed no error in so instructing them in the language complained of in the 11th, 16th, and 23d Assignments. Dr. Storm became the owner of the Brannan in 1843, fifty-six years before the trial, when all the timber was there. He was the owner during the time the timber operations were conducted. Fifteen years afterward he went upon the ground with McConnell, the surveyor, and had him run off the fifty-two acres sold to Frank Grimes, going with him along the line north of the Franks-town road, which was a line north from the cedar claimed by defendant. This was about 1858. Near the same time he was with McConnell when he surveyed the church lot upon the other side of the Brannan, locating it also, to the line north from the cucumber claimed by the defendant as the western line of the Brannan. Two years after the surveying for Grimes, Storm, and his coöwner, King, made a deed to Grimes, reciting the western boundary as the Sma line, which was the line north from the cedar; and, furthermore, was with McConnell along this line to see if the timber was cut. Now, the plaintiff in this case took title, not only to the balance of the Brannan tract by a deed which described the Grimes piece and reserving it, but he had title to the Grimes piece also, with the same description of boundaries. The law with respect to these kinds of acts, with the declarations accompanying them and coincident with them, is

that they are evidence even in favor of a party, on a question of possession or location, on the principle that possession is made up of both acts and declarations, and the admission of one operates as an admission of the other, as a part of it. For a much stronger reason are they evidence against a party who was owner at the time.

The portion of the charge included in the 11th Assignment, however, will be found, on a careful examination, not to relate to any verbal declarations, but to the declarations of boundary contained in the deed of Dr. Storm. We think it is true that a mere declaration, if mistakenly made, is not binding or of any effect, but it is quite different as to declarations contained in a deed under which parties have taken title, by a fixed boundary, and have held title for many years. The whole doctrine of consentable lines is based upon the theory of a mistaken or gratuitous concession from the true line, and where that mistake or concession is made and acted upon for years, it becomes binding and amounts to an estoppel. Of course we do not contend that there was such effect to the act of Dr. Storm, but only his act in making the deed, followed by a long holding under that deed, to the boundary now in dispute, was such an act, that even if mistakenly made or done, would be of great weight with the jury in determining the true location.

It is to be observed that the court, as will appear from an examination of the particular language in the 16th Assignment, submitted these declarations

and acts of Dr. Storm to the jury, to be considered by them, not as affecting the line of 1794, if found, but as an aid to them in discovering that line, and as evidence of where the owners at that time regarded the line of the property. Under the authorities we have cited, this kind of act and declaration is regarded as strong evidence, and is so characterized in the case of Kennedy vs. Lubold, and other cases. Then it is again to be remembered with respect to what is claimed in the 11th Assignment, and in the 17th and 19th Assignments, that the court is not to be convicted of error upon a single expression, but that the whole of the charge of the court is to be taken together, and even if there be positive error, unless that error be such as to prejudice the plaintiff, there is no reversal. Under this wholesome rule it will be found that there is nothing in the charge with respect to the several Assignments here referred to, which would call for a reversal.

In closing I desire to say that I have gone into the testimony more fully than would be justified in an ordinary case in view of the character of the complaints in the 25th and 26th Assignments, as to the presentation of the evidence by the court.

The three propositions which we have presented seem to cover the material parts of the argument for the plaintiff in error, and we respectfully submit that upon a careful review of the whole case there will be found no ground whatever for reversal.


DRAFT SHOWING LOCATION
IN
MARTIN vs. HUGHES
Piece in dispute is shaded
JOHN NICHOLSON
RICHARD SMITH
RICHARD SMITH
Sur. 1794
Exam. 1808
ISAAC BRANNAN
Sur. 1794
Exam 1808
JAMES DUNCAN
Sur 1863
CHARLES SMITH
Sur 1851
RICHARD SMITH
Sur. 1794
Exam. 1808
BARNABAS GEORGE
Sur 1870
WILLIAM SMITH
Sur. 1794
Exam 1811
PHILIP GEORGE
JOHN NICHOLSON
Sur 1794
Exam 1811
WILLIAM SMITH III
Sur. 1794
Exam. 1808
Musser & Grant
Post
Laurel Run
Spruce 1808
Beech (fallen)
Beech (hollow)
Cucumber Stump
Beech Tree
Hickory 1808
Cedar (fallen)
Hem. 1808
Cedar Stump
Birch (hollow)
Line of 1811
Stones
258.7 (Official 254)
268.8 (Official 272)
2585 (254)
226.1 (224)
261.1 (255)
271.4 (263)
333.5 (Official 336)
287.9 (Official 282)
273
44
56
457
185

PART II

MEMORIAL ADDRESSES

MEMORIAL ADDRESS ON U. S. GRANT, CLEARFIELD, PENNSYLVANIA, AUGUST 8, 1885

We come together this afternoon to testify by our presence and by what we say that the influence of a great life has reached out and left its impress upon us in such a way and to such an extent as to make our testimonial a duty. With the millions of our countrymen we stand with head uncovered about an open grave, and say to them and to each other and to the future, that we are wiser and more patriotic and braver and better because this man has lived in the world. It is quite important that the people rightly estimate the character of the men who have been of special service to their country, and that they make this estimate a matter of public notice for the benefit of those who come after. There are only a few men who by force of character and nobility of purpose so widen out in beneficent influence as to command the admiration of all. When such a man is found it is but just to him and profitable to us that we pay the tribute so rightfully due.

In order to be brief I will speak of but one quality of this life, and I select that one because it was most attractive and had much to do with the character of his success. He was an *extremely plain man.* Whether we view him in the time of his obscurity and poverty, when, all unknown and

uncared for by the great busy world about him, or in the day when, having reached the zenith of his fame and power, the idol and pride of his own land, the peoples and princes of other lands were eager to do him honor, alike at all times and under all circumstances he was the same unassuming, plain citizen.

This quality was more conspicuous by the fact that he was essentially a soldier, and whatever temptations in the opposite direction are peculiar to that profession and training, they left no perceptible trace upon him. When he was brought forth for his country's defense he himself was without a uniform. The importance of this part of the preparation did not occur to him, but was suggested by another. When urged upon him he finally procured a uniform, and it lasted him during the entire war, the badges of rank being changed from time to time to correspond to the rapid promotions he received. At the final scene of the surrender at Appomattox his dress was the subject of apology, and contrasted strangely with that of the gallant but conquered leader of the South. There was nothing in it to indicate the magnitude of an event which ended the greatest conflict of modern times and gave full proof to the world that he had been wisely selected as the leader of the conquering hosts. He did nothing for mere show. The people soon came to understand this and when he did anything or said anything it was full of meaning for them, and they expected from it practical results. Herein was much of his success. It is not neces-

sary that a man do so much or say so much, if it be divested of all tinsel and show and is aimed at the ultimate object. This was the character of his saying and doing, and his success attests its value. He was such a man as no other country could have produced. Coming up from great obscurity to the highest point of place and honor, as he came up and developed out into broader proportions he became more and more distinctively an American. Returning from a prolonged visit to all the older civilizations of the world, the recipient of encomiums and testimonials of every foreign court such as no other man ever did or could have received, he became more than ever wedded to his own land and her institutions, and recognized more fully than ever that right here is the birthplace and home of the broadest manhood and the best civilization, of which he was such a distinguished representative.

His memory will be cherished most by the men who like him bared their breast to the front of battle. If others forget, they will never forget the old commander. As year by year their ranks are decimated by the common foe of all, and "as age comes on with rapid pace, and whitening hairs, like crest on ocean's foam, tell that the tempest of life is almost over," then the few remaining ones will cling more closely to each other, and to the memory of their great leader. Who that has seen the soldier of Napoleon's army wrinkled and curved and broken by the weight of years and disease, can fail to recall how at the mention of the "Little Corporal's" name the old veteran would start and

straighten from his crutches, and with an unwonted fire in his eye fight over again the battles of his youth! But the Union soldier has a better name and a worthier memory to cherish; for he illustrated by his life that power is only of permanent value when used wisely and for beneficent purposes. He battled to build up rather than to destroy, to unite rather than dissever, and when the legitimate end of war was reached, but not before it was reached, he was the first to say, "Let us have peace."

MEMORIAL ADDRESS ON ISRAEL TEST, ESQ., CLEARFIELD, PENNSYLVANIA, AUGUST 14, 1886

THE most obvious quality of our departed brother was his large-heartedness. This was felt by everyone who came within the circle of his influence. It was more conspicuous by the fact that he was a lawyer. For it will be admitted that his profession is not the one most favorable to the development of this quality. No other profession or avocation makes severer demands. Indeed, the lawyer in full practice is in a perpetual conflict. The care, anxiety, and responsibility which belongs to the rightful discharge of duty so absorbs the entire energies as to leave but little for the amenities and friendships of life. So it happens that when, by the development of the social side of his nature, there is a failure to respond to the full demands of his profession there is some kind of compensation for the loss in that direction by the good cheer and sunshine given to others. Then, too, we are to remember that influence among men, and the power to control, and, therefore, the power to do good, is obtained, not so much by intellectual feats, or by great deeds of mind, as by the more unobtrusive and kindlier offices of the heart. To say that Brother Test had this kind of development, and that he attained, and, all through the vicissitudes of his life, held that influence over his fellows which rightly

belongs to it, is to assert what all who knew him will admit. He was a lawyer. Men who came in contact with him went away talking not so much of him as a lawyer but, rather, as a man. It was that side of him that attracted them especially.

Another quality he had was his sense of humor, his mother wit, and the rare power which it gave him. It was a dull day with him when by ridicule or repartee he was not able to break half the force of the most pointed shaft of logic or argument, whether aimed at him by court or counsel. In fact, as he went in and out of this court, and among this people for the last thirty years, he was a practical illustration of the undoubted truth that this weapon is often more powerful than argument. This is a quality which belongs to the past more than the present generation of lawyers. There is something in the bustle and the hurry and friction of the present mode of practice not favorable to the development of this quality. It belongs, rather, to an earlier period, when lawyers were permitted to take their time and enjoy themselves as they went along. For this reason it is a quality so rare as to insure its possessor a very high appreciation. To say nothing of the influence it gave him over jurors and people, I might mention one fact illustrative of his power in this way. That is, that his own brethren at the bar, who heard him so often, were ever anxious to hear him again. The more weary and listless and ill-disposed to hear others we were, the more eagerly would we wait for him, that we might be amused and entertained, if not instructed.

But he is gone! The well-known voice, the inimitable manner, the friendly, old-fashioned, sympathetic talk are all gone out from us forever, and we his associates, linked to him by an indissoluble bond, have come to stand by his open grave, and tell why we loved him. If he had an enemy among us, it has never been known. He was the friend of all. To say that he was without failings would be to say that he was more than human. But of him it may be said, as of another,

E'en his faults leaned to virtue's side.

The light that has gone out from among us has left a gloom that no other light can dissipate. Let us be warned by this sad visitation of our own mortality, and remember that "In such an hour as ye think not the Son of man cometh." Let us cherish his memory, and emulate his virtues and strive to so live that when our time comes, as come it must, it may be said of us as of him, that the world has been better for our living in it.

MEMORIAL ADDRESS ON HON. GEORGE R. BARRETT, CLEARFIELD, PENNSYLVANIA, MARCH 9, 1889

MR. CHAIRMAN: I move the adoption of these resolutions, and in doing so I wish to submit a few remarks by way of humble tribute to the memory of Judge Barrett.

There is one important fact that I think we must all be impressed with, and that is that the death of Judge Barrett removes from our midst the last connecting link between the present bar and the bar of the early history of this county. As we all know, the two oldest members of the bar, whose memories we still cherish, were Josiah W. Smith and Robert Wallace, who came here in 1825. They are gone a good many years ago, Mr. Wallace in 1875, and Mr. Smith, I think, in 1882. Mr. Wallace was connected with this bar just about half a century, and Mr. Smith about fifty-seven years, although neither of them was in active practice during the latter part of his life. Judge Barrett had been connected with this bar for fifty-three years—a very long time. He became a member of the bar in 1836, only eleven years after these pioneers, and it can be said of him, what cannot be said now of anyone living—that he was as closely connected with them in their active practice as with those who constitute the bar of today, and, perhaps, more so. Mr. Wallace, the Senator, came to the bar in 1847, Judge McEnally not until 1850;

but Judge Barrett goes away back in his identification with this bar to 1836, at a time when there was, perhaps, not over six thousand population in the whole county, not over twice the population of this borough at the present time. He lived until he had seen the county grow up to a population of over ten times that number. We are reminded of this fact by the rapid growth of our county and of the changes that take place. We are also reminded that even when we live out the full measure of our years, and death comes to us, it is but a brief race to run.

Judge Barrett was a man of more than ordinary ability. He was a man of very considerable ability. He had many qualities that well fitted him for the bar. One quality, it seems to me a very important requisite for a lawyer, that was very plainly marked in his career, was this: he was a man indefatigable in work. There was nothing slothful or indolent about him. He kept himself well abreast with the current decisions, and it must be testified to by all of us, that when he came into court he was generally ready. His cases, especially those of importance, showed that he had bestowed very considerable labor in the preparation of them. Many men of, perhaps, equal ability at the bar have utterly failed for the want of this quality so plainly marked and developed in him, of application, energy, and persistent work.

Another quality which gave effect and force to his work was that he was a man of remarkable method. Those of us who had opportunity could

observe the scrupulous care with which he kept the papers and everything connected with his cases. This quality is really necessary in order to make a man's work effective. It not only rendered him efficient in his work as a lawyer but also gave him time to devote to other duties outside of his profession.

There is another quality that we can remember with great satisfaction, and that is that he placed a high estimate upon the good opinion of the members of his own profession. He had, as has been stated already, a warm side for the younger members of the bar, and many incidents of this kind will readily occur to all of us, some of which have been adverted to by his honor, Judge Krebs. He seemed to recognize the fact that a man's standing at the bar with the outside public depends largely upon the estimate in which he is held by the members of his own profession and at his own bar. They rightly conclude that as they stand so close to him, they are the best judges, and the public opinion of a lawyer is, after all, based largely upon the opinion in which he is held by his associates. Those of us who have visited him, and perhaps we all have, during his long illness, can remember how glad he was to note the interest that was manifested in his welfare, and how he was touched by any little courtesy showing that his brethren at the bar kindly remembered him, and that those who, from any cause, had become estranged from him had willingly forgotten the past.

As a citizen he was a man who exhibited consid-

erable public spirit. He was willing to do his full share of any work which had for its object the public advancement or public improvement. He was a man of fine presence and pleasing address, and he naturally drew men to him and held them and influenced their conduct. By reason of these qualities he had a capacity for influencing men that many others of equal ability had not.

As a neighbor he was a kind and generous man. He had many charities that are, perhaps, best known by those who stood close to him, and many of his neighbors who were less fortunate in life and less favored in their surroundings will have cause to remember him with kindness as year by year they miss the aid of his helping hand.

Successful in his profession, and also in his business enterprises, he made money, but he had no sympathy with the idea of hoarding up money. He believed that the right disposition of money was to use it, and, consequently, he surrounded himself with the good things of this world, and during his long life he enjoyed the comforts and conveniences of life. He believed that it was his duty, as well as his right, to so live. That he was a man without faults no one, and least of all himself, would pretend to allege. He had his failings, like the rest of us, and it becomes us, now that he is gone, to emulate his good qualities and to strive so to live that when the summons comes to us—as it will come to each of us—we will, like him, have entitled ourselves to the kind remembrance of those who follow us.

A MEMORIAL ADDRESS ON SENATOR WILLIAM A. WALLACE, CLEARFIELD, PENNSYLVANIA, MAY 26, 1896

He was one of the men who did not seem to grow old with the passing years, and he has gone out from among us before we realized that he had nearly reached the full age allotted to man. He came to this bar at the September term, 1847, when he was but nineteen years and ten months old. Within seven years thereafter two of the leading practitioners had retired from practice, leaving him an open field for the exercise of his unusual powers. From that time, 1854, until 1884, when he retired from practice, he was the recognized leader of the bar.

He forged his way to the front by the sheer force of his intellect and his untiring industry. He counted as no part of his capital the cringing, fawning spirit so often resorted to by smaller men. His power consisted in the conviction he gave people that he would accomplish what he undertook. They had faith in him. He won no rank either at the bar or in the political arena to which he was not entitled. Many of those who disputed his sway went to bed before he quit work, and got up after he had begun again the next day. A harder worker than he never lived. For this alone he deserved success. Great as was his ability, it was not greater, if as great, as was his industry.

He was in the state Senate and the United States Senate together from 1863 to 1881. By his aptitude for legislation and his indomitable work he became identified with all the important legislation of his state during the first twelve years of this period, and with many of the federal statutes enacted during the last six years of this time. He was also the acknowledged leader of his party during all these years. At the end of his term in the United States Senate he bent his energies toward the development of his own county, and was effective in opening up new and competitive lines of railroad, by which the traffic and trade of the county was doubled. He thereby enriched others far more than himself. In the financial reverses which came to him, as to many others, his remarkable nerve and will power and work did not forsake him. His great endowment of mental and physical resources survived the wreck of his fortune. With these he hoped to retrieve what had been lost, and to this end struggled heroically against adverse circumstances. To the most powerful organization there is, however, a limit to the strain which it will endure. In his case this limit was reached in the first days of February of the present year, when he laid down his work for the last time and entered upon the struggle between life and death which has just ended.

Such a life is instructive and helpful to others. To every young man it shows what large opportunity for usefulness is within reach of all. It illustrates the value of untiring energy and work in

developing capacity for usefulness. It also contains this lesson which should not be forgotten. When the position had been reached which was the object of his highest ambition, and when in the very zenith of his fame, his own estimate of it was that if he had his life to live over, he would have devoted himself to his profession rather than to politics. This was the testimony of a man who seemed qualified, as few others are, for the arena of politics, and just at the time when he had reached the highest rewards of political work and ambition. Let his industry, his high sense of honor, and his public spirit be emulated by all who follow him.

The heights by great men reached and kept
Were not attained by sudden flight,
But they, while their companions slept
Were toiling upward in the night.

MEMORIAL ADDRESS ON HON. HENRY C. M'CORMICK, WILLIAMSPORT, PENNSYLVANIA, MAY 29, 1902

I AM here, with a number of the lawyers and business men of Clearfield County, to pay tribute to the memory of a lawyer and a good man. The relation of our county to this community has been such that many of our people had come to know General McCormick as the representative of large business interests here. A great many more, however, have known of him, so that his death was very keenly felt throughout the county. Still others of us have come in closer contact with him in the trial of cases, and we have come to know more of him and to feel more deeply attached to him. Personally, I can say that I had known him much longer than any of the people whom I represent. My first acquaintance with him began in the early part of 1862, when he and I were students together, over forty years ago. He was then distinguished by his aptitude for his studies and attention to his work, and also by that kindly spirit which had characterized him during all these years. I received many expressions of kindness and words of encouragement from him in those early years, which I have remembered ever since. As the years passed by I was gratified to see how rapidly he forged to the front.

No man, here or elsewhere, was more emphatic-

ally a self-made man than General McCormick. Very few after their admission to the bar come so soon to so large a measure of success as he. He had a wonderful aptitude for his profession. He was a natural born lawyer. He had the look, the presence, and the manner of a lawyer, and an almost infinite capacity for work—that which is said to be the very definition of genius itself. He took no chances in the preparation or trial of a cause. He disliked as much as anyone to be on the losing side; and, after all, the best test of a man's character, the best way to know the kind of material that a lawyer is composed of, is shown by the manner in which he conducts himself when he is on the losing side; and measured by that test he stood remarkably well. He studied the law as a science, and, therefore, when he was engaged in a case his first effort was to ascertain precisely the question to be determined, and his next to discover the principle which was applicable to that state of facts, and the cases in the books with which he was familiar were relied upon to illustrate that principle, rather than to form the basis of his preparation of the case.

Let me only say that his death is a deep personal loss to me. The friendship which was formed so long ago has remained during all these years. I never came to Williamsport and could see him but that I went. I knew him in the later years, in the full measure of his success, as well as in the early years when his life was a severe struggle. He has passed away in the very meridian of his usefulness, in the

full zenith of his fame, and at a time when he was at flood tide of active practice. Why should he be taken away at this time? It is one of the questions that we cannot answer—it is one of the mysteries. It is the old question that was asked three thousand years ago: "How are the mighty fallen in the midst of the battle!" It is a question that does not belong to us. It belongs to the great future, to which he has gone.

Let us emulate the good that was in him, and thereby qualify ourselves for the duties of citizenship here, and for citizenship in that higher and nobler commonwealth that will endure forever.

MEMORIAL ADDRESS ON HON. CHARLES A. MAYER, LOCK HAVEN, PENNSYLVANIA, MAY 22, 1906

It is an unusual distinction for a man to have presided thirty-seven years and four months in the Common Pleas Court. One of the principal reasons for the constitutional convention of 1790 was the movement on the part of the people of Pennsylvania to have their own judges rather than a judge from the Supreme Court sent, as was then the practice, to try cases. From that time to this we have had Common Pleas Courts, originally by appointment, and afterward by election. The tenacity of the people on this subject is reflected by a constitutional provision in each of our three constitutions requiring the judge to reside in the district. In other words, to be one of the people over whom he presides. Taking it all in all, the system has worked well, and has probably justified the movement so early made to bring it about. It needs scarcely be said that such a long judicial career as that of Judge Mayer under a system of this kind affords large opportunities for usefulness. During that period he has probably tried more of the important cases peculiar to this section of the state than any other judge who has ever presided among us. I will venture to refer to three. Thirty-three years ago he decided Hegerty's Appeal, a case from our county involving the title to over $300,000 worth

of property. The dominant question in the case, as it appeared in the Supreme Court, was the question of the effect of a probate of a will. That case, more than any other, perhaps, determines what is concluded by the probate. Judge Sharswood, the following year, delivered the opinion affirming the judgment, and upon his death years after, this case was mentioned as one of the great cases which he had decided. Another case decided thirty years ago, involving much less amount but important in principle, was the unreported case of Leconte vs. Royer. In that case Judge Mayer decided, for the first time in Pennsylvania, that a grant or reservation of growing timber, with a fixed time for removal, operated to vest in the landowner the timber not removed at the expiration of that time. In other words, that the right of property ended when the right of entry ended. Two things about that case are remarkable. One is that the decision contravened the whole trend of the mind of the profession and the judicial mind as interpreted by the profession. The other was that when the Supreme Court affirmed this judgment of Judge Mayer they said in effect that much depended upon the custom of the business, with which the court below was more familiar than they were, which, of course, was saying, in other words, that they did not know what the law was and were disposed to follow the reasoning of the court below. That case was followed by other cases reaffirming the doctrine, and it may now be regarded as the settled law of the state, but it is a singular illustration of the power that a Common

Pleas judge has, and of the fact that more of our law originates with them than we always realize. Among the recent cases of great importance decided by Judge Mayer was Kaul vs. Weede, decided in Elk County, about five years ago. That case involved the construction of a grant of timber, with out specification of size. It deals with the question of the extent of such a grant, and also of the effect upon such a grant of the condition of the timber business at the time it was made; and also of the effect of the construction given to it by the conduct of the parties. I think it can be safely said that the briefs on the one side and the other exhibit more learning on the subject of timber grants than are to be found in any other case in Pennsylvania.

Judge Mayer's qualities as a lawyer and judge were his close and careful knowledge of the written law and his strong practical common sense enabling him to apply it. It is rare that this combination is found in such a large degree in any one man. If he knows only the written law, he will be unable to deal with its apparent inconsistencies, but if he have with that a clear vision and an unerring judgment, he will be able by this combination to reach a safe result. Judge Mayer was not like Coke, a "mere lawyer." He had many accomplishments. He was a man of the most varied information and great practical knowledge. With these he had a wonderfully genial and cheerful disposition. He had a large endowment of wit and humor. In addition, therefore, to being a great lawyer he was what

many good lawyers are not—an interesting man. He carried these qualities down into an old age. He had many sorrows in his later years. His health at times was precarious. About thirteen years ago the companion of his youth and manhood passed away, leaving him alone at a time when the shadows were lengthening and life was assuming a more serious and realistic struggle. Ten years ago, on this very day, Senator Wallace, his close personal friend, passed over to the great majority. Since then, his most intimate friends, Judge Arnold, of the Philadelphia bench, and Judges Green and Dean, of the Supreme bench, have gone. His death reminds us how rapidly the men of his generation are passing from us.

He presided in our county from the early part of 1869 to January, 1884, a period of fifteen years. I was the first student in our county admitted under him. Judge Krebs was admitted two days later. All the years of my early practice were before him. Since he left our district I have appeared before him only occasionally, but have met him frequently, and during all these long years our personal relations have been friendly. His death also reminds us of the changes which have taken place in the bars of the counties making up the old district. In our own county when he was elected there were but fifteen lawyers, including those who were active as well as those who were not. Of this number but four are now living. At the present time we have something over sixty practitioners in the county. A number of us are here today to join with you in

bearing tribute to the memory of our departed friend. It is a matter of satisfaction to find here so many friends of other days with whom we may unite in performing this melancholy duty.

MEMORIAL ADDRESS ON HON. WILLIAM D. BIGLER, BEFORE YOUNG MEN'S CHRISTIAN ASSOCIATION, CLEARFIELD, PENNSYLVANIA, SUNDAY AFTERNOON, APRIL 28, 1907

It is entirely fitting that special notice of the death of William D. Bigler be taken by this Association. Only a few years ago a handful of men met in a private house on the other side of the street and took steps for the organization of this Association. Several of these have since passed away. In a few years all of them will have gone, but the enterprise which they then started will continue to benefit and bless the community. Of that number it can be said without disparagement to anyone that there was none more willing and efficiently interested than was Mr. Bigler.

Among the qualities which seemed to distinguish him was the cheerfulness and willingness with which he devoted his time and attention and his money to public interests of this character. He was a man of affairs, with many claims upon his thought and consideration, yet he gave a large place to the interests of this Association. When he had been quite ill last year his first appearance was to deliver an address in this place at a time when his condition was so frail that it was not certain when he began that he could get through, and, accordingly, he provided for that contingency in ad-

vance. The address, as we remember, was both interesting and historic. It was a review not only of this Association but of the history of the larger Association of which it is a part, and upon both sides of the sea. Most men whose life is filled up with the cares and anxieties of business are content to do what may be required of them toward an enterprise of this kind with a different spirit and with a lack of the enthusiasm which characterizes their own enterprises. With him, however, there was just as much enthusiasm and zeal in a work of this kind as in any personal matter of the greatest concern. It was the same with the work of the hospital. While the Legislature two years ago was conscientiously trying to gauge the different appropriations to hospitals throughout the state, so as to have enough left for the capitol building and furniture, and chandeliers, he was just as anxious and as earnest in his effort to secure a decent appropriation as he could have been if the money had been coming to himself instead of being entirely for a public charity in which he could have no direct personal interest.

Another thing I would emphasize was the character of his religious life. It was without public exhibition or demonstration, but it was an example of practical Christianity in that it consisted rather in what he did than in anything he said. He had many private charities of which the public knew nothing. He was a cheerful and substantial helper of every public charity within his reach, yet how quietly it was all done! In the earlier life of the

church teaching was greatly needed. The plan of salvation could not be impressed upon the people except by a series of images. They had no language or words to express its great truths. Hence the necessity for an elaborate system of sacrifice and festival and ceremony by which God's purposes could be made known to man in the absence of any language or translation of his own by which to bring God and man together. But the world has come down to a time when teaching is not so much needed as example. People are kept away from Christ not so much because they have not knowledge as because they have not sufficient exemplification of that knowledge in the human life about them. Christianity is not so much a creed as a system of living. A creed becomes a factor in the conversion of the world only in so far as it is embodied in human life and conduct. Hence it is that a man's influence is measured not so much by what he says as by what he does. The reason our departed friend stood in such high estimation both at home and abroad was because he was an example of right living. He taught by example rather than by precept; and that is the highest kind of teaching, because it takes hold of the life of people as no other kind of teaching. This consideration is worthy our serious attention. There is only one unanswerable argument which Christianity furnishes the world. It is not the Bible. Some kind of answer has been made and will continue to be made to its precepts which will find followers. The one unanswerable fact before which the world

stands with uncovered head and in silence is a consistent Christian life.

Another fact worthy our attention is the wise use he made of the opportunity which his professional career gave him. Of gentle birth and honorable lineage and fine college education, he had good preparation for study and practice of his profession. His study of the law was careful, and in an office which had to do with the principal litigation of the county at that time. This equipment gave him a desirable clientage and also furnished him a large field for usefulness. To be for over forty years the confidential adviser of many people in matters affecting their rights of property and reputation and liberty involved great responsibility and great opportunity for good or evil. How well he met this responsibility and how faithfully he used this opportunity is shown not only by the fact of how little litigation was furnished by the large business interests with which he was identified from time to time but also by the many people who, under his direction and counsel, were saved the expense and risk of litigation. A different course on his part could have produced very different results. The use he made of his great opportunity is also shown by the extent to which his opinion was sought in business matters of great difficulty and importance and the extent to which that opinion was acquiesced in by all parties concerned.

Another thing to be noted was his relation to public affairs. It is often a grave question for a young man as to how far he should engage in

politics. He was a careful student of the politics of his time. Perhaps no man in the county was better informed of the public questions and the public men before the country during the last forty years. This was naturally the result of his early environment, for while only a boy his father was governor of this commonwealth and afterward United States Senator. This public career brought to him also in early life the knowledge of the great men and the great questions of that day. But with all this identity with public affairs he was never in any sense an office-seeker, and never regarded public office as a thing to engross either his attention or his ambition. His single appointment to a public place was suggested by his special fitness, and was amply justified by the fidelity with which he discharged its duties and met its responsibilities. If a young man, therefore, were to be governed by the advice which his example furnishes, he would find in it nothing to encourage him to seek office, but everything to justify the notion that the best guarantee of fitness for public place is efficiency and fidelity in private life.

As we grow older and see how many of those with whom we have associated are passing away we are reminded of how fleeting is this life. How soon its opportunities are gone! It is verily "As an hand breadth," as a "vapor in the morning." How soon it passes away! We are also reminded that most of the things which here engage our attention are of little value in the end. The things that count are the right uses of opportunity; the formation in early

life of good habits, for "character is habit crystalized"; the formation of right purposes, for purpose is the foundation of character, and character is the foundation of destiny.

The great thing is the extent to which we live not merely for this world but for the greater and better life beyond. Let every young man, therefore, emulate the example of our departed friend in the fidelity which characterized him in all his relations to his fellow-men and to his God.

MEMORIAL ADDRESS ON HON. GEORGE A. JENKS, BROOKVILLE, PENNSYLVANIA, FEBRUARY 17, 1908

MAY it please the court and gentlemen of the bar: It is fortunate that in nearly every county in Pennsylvania there is to be found one or more lawyers who command the undivided respect and confidence of their associates and of the public. It is such men who maintain the honor and rank of our great profession. Every young man who aspires to distinction at the bar should understand that such a place can only be won and kept by one who is a good man as well as a good lawyer. This is one of the lessons to be learned from the life which has so recently passed from us. Great as were his abilities, he was scarcely more distinguished for these than for the probity and the keen sense of honor and justice which crowned his career. And I doubt not that this feeling of confidence existed right here among the people with whom he went in and out for a lifetime more than anywhere else.

George A. Jenks came to our county about 1871 to try a land case, which belonged to a series of cases, afterward tried, that furnished both entertainment and instruction to our people for some years. Instruction, because of the illumination of the land law of Pennsylvania contributed by him and the other counsel identified with these cases upon the one side and the other. Entertainment,

because of the unfailing humor with which he occasionally enlivened the trial.

I became acquainted with him then and had known him well ever since. Our relations were of the most friendly character. During twenty years of that time I was frequently associated with him in the trial of important cases, and was a number of times adversely concerned in cases, both in the state and Federal courts. I do not now think of any lawyer from whom I learned more practical law and more as to the method of conducting a cause than him, during the trials referred to. I, therefore, am qualified to have some reasonable judgment of his qualities as a lawyer; but I can only refer to this in the briefest way. He was distinguished in a trial by his alertness and resourcefulness. It made not much difference, so far as the exhibition of his resources was concerned, whether the ground he appeared to rely on was swept from him or not. He exhibited, rather, more ability in discovering some new ground, that nobody else would think of, than in maintaining his original position. By the time his adversary would sufficiently recover from his surprise to make some kind of answer he would have discovered a third basis upon which to rest his case; and so he moved from one to another, contributing so much light and knowledge from his discussion that the commercial value and result of the trial was often lost sight of by those who listened to him. He had a vast and varied experience which gave him a familiarity with the methods of trial and the rules of evidence, and

the application of legal principles to varying conditions which was possessed by few other men anywhere. He came in contact with the most renowned lawyers of his time and in some of the most noted litigation of his day. How well he sustained himself both at home and on a broader arena has become a matter of imperishable history.

His temper and disposition were altogether remarkable. His unfailing humor and cheerfulness were the most dominant qualities he possessed, and were an invaluable aid to him in the strenuous life he lived. He was in no sense a wag or a comedian, but he never became so absorbed in a trial as to fail to appreciate all the humor there was about him, and to contribute his full share. There is a distinction as to cheerfulness which is not always understood in the estimate we put upon people. A year or two ago I attended a church meeting where there was a general discussion upon the duty of cheerfulness suggested by some passage of Scripture, which was made the topic for the discussion. As is, perhaps, too often the case in such meetings, there was an entire consensus of opinion that cheerfulness was an obvious duty. I felt that there were a number of people present in whose behalf a word ought to be said. At the close of the general discussion I suggested that the measure of cheerfulness was hard to determine because of the different environment of different people. That if a woman came to church on Sunday morning with a cheerful face, who had prepared breakfast for her family and dressed her children for church, it meant one

thing, while a woman of equally cheerful aspect who had nothing to do but study cheerful moods, meant quite another thing. So I said a man who comes to church with cheerful countenance who has behind him a week of the cares and perplexities and disappointments of a busy life exhibits a disposition of much more account than that of another of equally genial aspect who has no knowledge of such an experience. So, with our departed brother it was not the fact of his genial manner but of the conditions under which he maintained it that made him in this respect a most remarkable and exemplary man. More than once I have seen him held up against the rough and serrated edges of as difficult and complicated questions as ever came before a court and jury, with the conscious knowledge that the judge was against him, that the prejudices of the jury were against him, and that eminent and skilled counsel opposed to him had made the most labored and finished preparation, while he, through the stress of his engagements, had had but a limited preparation. In these adverse and trying circumstances he would be not only the most cheerful man in the case but, apparently, in the courtroom. This quality exhibited a profound philosophy which was as commendable and valuable as it was rare in human experience.

He was sensitive and conscious of unfair dealing and disappointment as well as the rest of us, but he had in a larger measure than any of us the power to conceal their effects. In a long talk I had with him one night at Du Bois, in 1896, when he was in

fullest possession of himself, he said to me that he would not be sorry when the struggle was over and his end at hand; that he thought he could welcome that at any time. It seemed a strange statement to me at that time. I often thought of it afterward, and reached the conclusion that the strain of his arduous life told more deeply upon his strength, both physical and mental, than we could realize.

It is a great honor to a county to produce such a man. It is a great honor to a bar to have had such a member. It is altogether fitting that here, in the scene of his trials and triumphs, those of us who have known him so long and so well should come together to bear tribute to the memory of his distinguished and honorable career.

As we grow older, how rapidly the people we know pass away, those we have known in earlier days, before life had become so realistic! They go out and we do not find others to take their places. These others take us for what they can see of us; friends of the brighter past took us by what they knew of us. This because we were then more trustful and more capable of making ourselves known than we are now to the new generation coming up about us. Now and then death passes so close to us that we are compelled to say, as did the Latin philosopher, that he has taken away part of ourselves. For this sense of loss and grief for the departed is not an outgrowth of Christianity. It belongs to primal man, and came down with him through the fall. It was one of the things not taken away by the fall. It belongs to heathen as well as

Christian man. The difference is in the lesson we learn from such an experience. Socrates, the most enlightened product of the heathen world, said he had found much in the schools of philosophy of his day, but that they had furnished him no solution to the mystery of life. That he would gladly sit at the feet of one who could "tell him how to bind and hold altogether," as he expressed it, but that he should never hope to learn this from anyone. Without Christ the world is not farther on in this respect today. But the Christian man is taught by this severing of ties that this world is not his abiding place. That he has a home beyond the stars where these severed ties may be reunited, where the dim vision may be restored to all its native brightness, where the clouded intellect may be again illuminated with all its pristine brilliance, and where the broken and fragmentary work we have here attempted may be completed. It has been well said:

Death takes us by surprise,
  And stays our hurrying feet;
The great design unfinished lies,
  Our lives are incomplete.
But in the bright unknown,
  Perfect their circles seem,
Even as a bridge's arch of stone,
  Is rounded in the stream.

PART III

BANQUET ADDRESSES

AT SUPERIOR COURT BANQUET, PARK HOUSE, WILLIAMSPORT, PENNSYLVANIA, FEBRUARY 20, 1896

MR. TOASTMASTER, JUDGES, AND GENTLEMEN: I am always embarrassed when unexpectedly called upon on an occasion like this. I have had but little experience in this kind of speaking, and that not uniformly successful. I am here in deference to the courtesy of an invitation by the committee representing the bar of Lycoming County, and to do honor to the judges of the Superior Court. I have always had a warm side for the bar of this city. I have known many of them for a long time. Over thirty years ago I went to school with a number of them at the seminary up on the hill, including the attorney general, Mr. McCormick, and Senator Hart, and many others who grace this presence tonight. They know all about the adverse circumstances under which I started in life. They have been exceedingly kind to me during all these years. I have no notion that they have regarded me as much of a lawyer, but knowing the difficulties and disadvantages which I had to overcome to get started at all, I imagine that they were rather pleased that I got to be any kind of a lawyer.

I began the study of law in this city with General Fleming, long since deceased, on the day that I was twenty years of age, and that was the first day I ever saw the inside of a lawyer's office. After my

admission to the bar in my own county, a few years later, the first place I went on a short recreation was to Williamsport; there I was very kindly invited to join an excursion made up of the young members of the bar, then constituting what was known as "The Blackstone Club," and went with them on their annual excursion on the 2d day of June, 1869, up the Northern Central, to Trout Run. They there engaged in some of the exercises which we have again witnessed tonight. I am glad to meet so many of them again, and to renew the friendships so long ago formed, and which have but brightened during these swiftly passing years.

I do not feel that I am an entire stranger to the judges of this court. I have known Judge Reeder for about twenty years, and am prepared to certify that all that has been said here tonight of his judicial face is reflected in the character that is back of that face. Two others (Beaver and Orlady) I have tried cases against while they were at the bar. Another, here in front of me (Wickham), I tried an important case against when he was on the Common Pleas bench, and am qualified to state that each of them proved to be formidable competitors in these respective places. I have known of the others and of their work for many years, and am glad to do honor to each and all of them. I need not remind them nor you, that I was favorable to the legislation which brought this court into existence, and in my humble way helped to secure its enactment. In but a single particular

have I any fault to find with it; that is, I think the term should have been twenty years instead of ten. I think it would have better comported with the dignity of the office, and better tended to secure the entire independence of its incumbents. I have not found any ground for the constitutional objection to the extension of the term, which was talked about, and after an examination of that question do not believe it existed. But I went farther than this; I made suggestions as to the equipment of the court after the needed legislation was secured, and the men who should occupy these places. My friends made frequent suggestions in the same direction. While these suggestions were not completely carried out, they and I console ourselves with the reflection that it can scarcely be expected that any human institution will be entirely perfect. We feel that, considering the vicissitudes that surrounded the source of appointment at the time these places were filled, it is remarkable that the work was as well done as it was.

I was very glad to be here at the opening of the court, and to find the whole Lycoming County bar present. They were present to do honor to the court, and especially because it was a new court. People are fond of new things. Of course, with the experience and discrimination which you gentlemen have, you do not believe that anything like such a fuss as this will be made over you, after you have been in these places a little longer, and when you commence to hand down opinions in the cases that have been argued before you; but still there will

remain a large residuum of respect and honor which will be cheerfully accorded to you.

Reference has been made by the distinguished attorney-general to the fact that some people were not favorable to the creation of this court, and this is true. Out of the inefficiency of a few of the Common Pleas judges, the belief was engendered that some of the judges were receiving already more pay than they earned, and were doing less work than they were paid for, and thereby there grew up a prejudice against any increase of courts or judges, which entirely lost sight of the absolute necessity which really existed for the creation of this court. These people, under this misguided prejudice, beheld the advent of this court very much as Jacob Gruber did the new dog, some fifty or sixty years ago, when this eccentric old German divine traveled over this section of the state. He was noted for his bitter antagonism to three things: one was canes, another tobacco, and the third was dogs. It was an inexorable rule with him to not proceed with any exercise so long as any one of these unfortunate objects of his special hatred remained in sight. One morning, when he was about to proceed with services at a camp meeting, there happened to be an influx of dogs. To appease the wrath thus provoked, great effort was made to get them away. Some were carried off the grounds by their owners, others were kicked off, and others stoned off, and thereby an amount of barking and yelping produced which was out of all proportion to the noise the dogs would have caused if allowed to remain. When

quiet was eventually restored Gruber proceeded with the exercises, but had barely got started when, to his utter horror, there came marching down the middle aisle a new dog. Tried beyond all human endurance, he raised both arms, exclaiming: "Mine Gott, here comes a pran new tog." Now, it was with some such feeling of perturbation that the deluded people to whom I have referred greeted the advent of this new court. But I need not assure you that I did not partake of their alarm in this regard.

If I were called on to answer the query so finely and eloquently propounded by Judge Orlady, as to which is the greater office, that of the advocate or that of the judge, I would say the greatest office next to the judicial office is that of him who stands in the place of another, and between him and the tribunal which is to determine the right or wrong of his act. But the greatest office in the gift of any people is the judicial office. It involves the greatest responsibility, and the performance of a duty the most difficult and delicate that has ever been committed to human hands. That duty is the application of the principles of common honesty, as ascertained by the progress, the wisdom, and the Christianity of all the centuries, to the complex affairs of our business life. The man who rightly executes this office, and faithfully meets this responsibility, who intelligently and fearlessly discharges this duty, builds a monument to himself that will outtop the stars, and that will be found still standing when the latest antiquarian shall have hunted out the last

relic or ruin of the last of all other monuments. The greatness of the office is shown by the few instances of misfits which occur, when by accident a faithless and inefficient man is lifted from his obscurity to a judicial office, to remain there until returned to that obscurity covered with the infamy which by common consent attaches to that man who exercises a judicial office for personal and private aims and ends. Between such men and the true judge the gap is so wide that "he who runs may read."

Take the case of that man who a few days ago was laid away by loving hands to his final resting place in the city of Philadelphia, Judge Allison. What prouder monument has been completed by the life of any of the men who have lived and died in that great city! What one has more enduringly impressed himself upon its legislation, and upon the business life of his great community. A similar example is furnished by the life of Judge Elwell, of Columbia County, and that of Judge Pearson, of Dauphin County, and others who might be named.

We are all glad to do honor to these judges of the Superior Court, and we are full of faith that they have the character and fitness to make of this court and of themselves a record which will meet the just expectation of their many friends here and elsewhere throughout the commonwealth.

Thanking you for your most indulgent attention, I bid you good-night.

ON "THE PRACTICE OF LAW," AT JEFFERSON COUNTY, PENNSYLVANIA, BAR ASSOCIATION BANQUET, JANUARY 15, 1901

THE practice of law is an effort to apply the principles of common honesty to the complicated affairs of life. If it be said that a large part of the litigation in the world appears to have originated and to be conducted by the parties outside of this formula, the answer to be made to that is that much of the pending litigation is not the legitimate subject of litigation. A large proportion of the cases that get into court ought not to be there. This is due in some measure to the disposition of a part of the profession to resolve all doubts in favor of litigation. It is due in a larger measure to the innate fondness of people for lawsuits. Many are attracted by the notoriety which is thereby furnished them, others by the excitement which attends a trial, others by their desire for a game of chance. It is literally true that there are not a few people who are more elated and more contented when in a lawsuit than when they are out of it; and this, too, entirely apart from any consideration of the probable outcome. It is susceptible of demonstration that in a majority of the cases tried the actual expense and loss exceeds the amount involved. This condition of affairs needs reformation, and the extent to which there may be improvement depends principally upon the profession. To this end every

lawyer ought to realize that his principal duty to his client and to the court, and to the public, is to have the ability and the courage to determine whether his client has a good cause. If he have, let it proceed. If not, then let him "agree with his adversary quickly." He will thereby not only be highly useful as a public official and a citizen, but he will also help to give his profession the rank and place to which it is legitimately entitled. For it is in this more than in anything else that the real lawyer appears. It is not so much in his mere knowledge of legal principles, nor in his skill in presenting them to the court, as in his ability to apply those principles to the facts presented him so as to form a correct judgment upon these facts. To be able to discover the principle applicable to the case in hand, and the classification to be given to that particular case, is the kind of work that determines whether a man is a lawyer, or only a practitioner. It is not meant by this that in every case the lawyer may be able to determine the question in advance. The facts may not be capable of ascertainment fully, except on a trial. The law applicable to the facts may be so difficult or unsettled that only a trial can determine that. What is meant, however, is that in every case the effort should be made; and, except in the special cases here indicated, a conclusion reached, and that conclusion fearlessly stated to the client.

Another observation connected with what has already been said is the importance of a lawyer using his head as well as the books, and using it a

good deal more than the books. The plenitude of books and decisions we now have, covering every branch of the law, is not by any means an unmixed good. It is a matter of surprise that the most noted and remarkable lawyers this state has ever had, were those who practiced almost without books. Those who came over about the time of the Revolution, and shortly after, were men of the greatest eminence and success. There is no doubt at all that a large measure of their distinction was due to the fact that they were thinkers, because they were compelled to think for themselves. The same is true of the older law books. Anyone who has examined the list of books recommended by the late Justice Sharswood, in his edition of Blackstone, will be impressed with the large proportion of old books which it contains. Time forbids any extended illustration, but I may note, briefly, two or three. Justinian in a single proposition undertook to summarize the whole system of law, as known to him, in this sentence: "To live honestly, to injure no one, and to render to every man his due." In the fifteen centuries which have elapsed since this was written I am not aware that this summary has been improved upon. Then take his wonderful definition of home. "Home is that place where a man hath established the sum of his possessions and fortunes. Whence he will not depart, if nothing calls him away. Whence, if he have departed, he seemeth to be a wanderer, and if he return, he ceaseth to wander." In these long centuries few other themes have so often been the subject of

eulogy and laudation by the most gifted authors. Some of them, because of the excellence of their writings on this theme, have been immortalized in song. Others have been perpetuated in marble and bronze. But I doubt if any of them have measured up to this ancient definition in its simple beauty, its wide comprehensiveness, and its essential truth. It stands up over the arid waste of dry study through which we all must travel an oasis of beauty, prized all the more highly because there are there so few such. Justice Duncan, of our own Supreme Court, has often been commended for the doctrine he announced over seventy-five years ago in Updegraff against Commonwealth, reported in Eleventh Sargeant & Rawle, that "Christianity is part of the common law of the land," but it is scarcely ever noted that he did not undertake to announce any original doctrine, or any original statement of it, but only to apply to the new state, a doctrine which Bracton had applied to England seven hundred years before. The strength of that most instructive opinion lies in the fact that it sets forth the ground of the great doctrine in the logic and diction of the old masters who could and did state them better than could he or any of his contemporaries. Then by his own processes the great Pennsylvania justice applied this old doctrine to the new commonwealth. The reason why the early law writers and the early lawyers attained such eminence without the light and illumination which a later day has furnished, is not that there is no advantage in this increased light, nor that it is a

disadvantage, but, rather, because it is so often used not as an aid to original work and investigation but, rather, as a substitute for such work and investigation. It is a good plan for a lawyer to train himself to form an opinion upon the case presented to him, without opening a book at all. Having done this, let him fortify and clarify, or, if need be, modify, or entirely change that opinion by the use of such authorities as he may have at command. This method will cultivate independence of thought and conclusion. It will also better prepare him to reconcile decisions which are apparently in conflict. It will accustom him to the hard work of applying his mind to the dry facts of a case, and invoking from his own mental resources the rule of right which governs them.

Another matter worthy our consideration is this: the lawyer of today takes rank according to his ability more than ever before. He no longer acquires standing from the mere fact that he is a practicing lawyer. One reason for this is that so many other professions have come up with men of equal equipment and training and pretension that the monopoly of learning, which he formerly enjoyed and shared only with the preacher and doctor, is now taken away from him. Another reason is that while much of the work formerly done by lawyers has been absorbed by trust companies and other associations, the portion left is that portion which more distinctively appertains to the real work of a lawyer, and furnishes the best test of his training and ability as such. For this reason it

not only has not been taken away from him but cannot be taken. What is meant by this is that formerly a large part of the work done by lawyers was not strictly the work of a lawyer, but could as well be done by others without his special training. The work taken away from him is mainly of that character. The part left to him is the part more distinctively belonging to him, and also the part calling for the exercise of those qualities best calculated to give him wider and more enduring reputation.

The practice of law, therefore, is a responsible kind of business. It calls for the exercise of the highest qualities of intellect and of manhood. Great power is placed in the hands of a lawyer. Whether that power is to be wielded for good or for evil depends upon the kind of man he is. A man of very ordinary ability can do much harm. A man's title may be attacked, and he put to great expense in defending it upon the merest quibble or pretense. Action may be brought claiming a large sum of money, ruinously impairing a man's credit, without any shadow of right to recover. Such an action involves the necessity of a defense, and often at considerable expense and delay. For the wrong so frequently done in this way there is practically no remedy. The only adequate remedy is such a notion of professional ethics at every bar that no lawyer can be found who will lend himself to such work. No lawyer has any right to bring an action or set up a defense merely because some client wants a lawsuit. If he wants a lawsuit, let him present such

facts as to reasonably justify such action or defense. If he be unable to do this, let him gratify his desire for notoriety or excitement by some less harmful method. On the other hand, if a lawyer is careful and cautious in the selection of cases, in the sense already indicated, he will be, as he ought to be, a conservator of private rights, and of the public peace. In addition to this his care will be taken note of by the people, and by the courts, and he will have influence correspondent to this course of action. When he goes into court it will have some significance which will go in aid of him and his cause.

It is a mooted question as to how far a lawyer should engage in politics. That he should be familiar with the public questions of the day, and that he should have well-defined convictions respecting them, all will admit. He may with advantage to himself and others make public discussion of these questions. Ordinarily, he may not engage in politics as a business, if for no other reason than because he must neglect his work to do this. If he have a mania for office, let him remember that he has an office that, if well filled, will in the long run serve him better and longer than any office he may obtain by political servitude. If he be urged to join in some reform movement, or head some reform, let him consider the outlook and the prospect of obtaining coöperation in his work. If not, he may in the end have only his experience to compensate his loss of time and misguided effort. It is a mistake to suppose that at all times and

against any kind of combination the individual is called upon to stand up and battle for reform single-handed and alone. There is neither wise patriotism nor strong sense in such an unequal contest. Far better that he stand in his place and do the work for which he is specially fitted, and get out of that work the legitimate reward of its welldoing.

The fact is that the practice of law is an absorbing business. All of time and talent and opportunity are under tribute. The lawyer must know something of every trade, profession, and business. It is, therefore, a broad profession, leading him out into every avenue of life, but only for the purpose of better equipment in his own special work. The man who desires to figure in society, either as a social lion, or as a distant follower of somebody else in that somewhat unsatisfactory rôle, has no place here. The man who covets the ever-expectant anxiety, and the greasy idleness which belongs to the political heeler, has no place in these ranks. Both the work and the reward here are so entirely different as to be without attraction to these people, and they and their life are not so resplendently attractive as to secure for them here a gushing welcome, and any other kind would do them no good. There is no more honorable employment anywhere than the practice of law; probably none containing a larger proportion of upright, faithful men, men to whom the consciousness of duty well done, and of usefulness to the wronged and helpless, is a higher and better reward than the measure of pecuniary compensation which they receive. I cannot better

close this brief address than in the language of another of the lawyers of the olden time:

"The profession of the law is that, of all others, which imposes the most extensive obligations upon those who have had the confidence to make choice of it; and, indeed, there is no other path of life in which the unassumed superiority of individual merit is more conspicuously distinguished according to the respective abilities of the parties. The laurels that grow within these precincts are to be gathered with no vulgar hands; they resist the unhallowed grasp, like the golden branch with which the hero of the Æneid threw open the adamantine gates that led to Elysium."

PART IV

PATRIOTIC ADDRESSES

ORATION AT CLEARFIELD, PENNSYLVANIA, JULY 4, 1876

Ladies and Gentlemen and Fellow-Citizens of Clearfield County: I congratulate you upon the very appropriate demonstration with which you greet this centennial anniversary of our great republic. This is an occasion well worthy just such a celebration as that with which you have honored the day. It is an occasion full of the proudest memories of the past, and suggestive of the highest hopes of the future. On this natal day of our liberties a spirit of just pride inspires every American citizen as he reviews the past and realizes that the wise system of government established by our fathers has withstood the storms and conflicts of an hundred years. As he looks with a prophetic eye to the future he beholds his country starting out with majestic tread upon the second century of her life with a long line of banners streaming alike from the humblest cottage homes and the dwellings of the rich—the center of attraction to all the nations—crowned with an illustrious history, inspired by a renewed faith, and full of promise of still greater achievements and a nobler destiny.

The World Not Trained to Free Government

The form of government which we possess is the highest type of national life. It requires the highest degree of civilization to maintain it, and the most heroic patriotism and sacrifice to preserve it. This

is the only government of the people which has successfully fought the battles of freedom, and endured the ravages of time. Every other nation based upon the idea of man's capacity for self-government has either gradually surrendered to the encroachments of monarchy, or been blotted from the map of history. For long centuries the world had been educated to the ways and means by which kings and aristocracies were maintained. It was only by the severe lessons of experience, obtained in prison cell and on the battlefield that man was aroused to a consciousness of his manhood. The one-man power had sown the seeds of conflict and reaped the fruits of conquest for nearly four thousand years. As it marched down through the centuries its footprints were hoary with the dust of time, and it wielded a scepter that was gilded with the luster of ages.

Origin of Free Government

Far back in the beginning of history, and by divine proclamation, the principles of free government had been first announced to the world. Under their benign influence the Hebrew commonwealth flourished and filled the valleys and adorned the hills of the Promised Land with a race of statesmen, poets, historians, and soldiers whose achievements have challenged the admiration of all succeeding ages. But the glory of their history was forgotten in the relentless clamor for a king, and monarchy began its reign over the ruins of the first republic. In the lapse of time a beautiful cluster of republics sprang into life along the southern

coasts of Europe. "Their memory still fills the earth with its fragrance of heroic deeds and exalted achievements." They brought to the stage of action an illustrious line of orators and poets, whose masterpieces have stood unrivaled amid all the progress of the ages. But in an evil hour they surrendered their rights, and crowned heads again ruled, with an iron rod, this land of eloquence and song. Uniformly, this had seemed to be the fate of republics. To our rude but brave ancestors who first peopled these shores there were but few bright spots in history to encourage them. But they had cut themselves loose from the rest of the world, and planted their homes so far away from the busy haunts of life, that the rough elements with which they came in contact—the rugged mountains, the unfettered rivers, and the boundless forest—fostered in them a spirit of liberty which overstepped all the barriers that the lessons of history presented.

Origin of Our Republic

One hundred years ago, then a poor and oppressed people gathered from every land, they framed a government of their own, and started out upon the broad highway of national life. This infant republic flung out to a then tyrannical government, that boasted a Parliament seven hundred years old, their solemn protest against wrong. They submitted to the judgment of a candid world their firm declaration of right. They selected for their flag, first, a sheet of pure white, typical of

their honesty and integrity of purpose. Then to represent their courage and patriotism, they striped it with the red, emblematic of the blood with which their soil had been consecrated. To exemplify their steadfastness and heroic faith they mingled its ample folds with "the steel blue canopy of the stars." For their standard bearer, to carry their flag over the land, and over the sea, they called down "from his mansion in the sun" that proud bird of the air, who always soars above the storm cloud, and nestles nearest the mountain crag around whose summit the sunshine pours its grateful luster.

The Declaration of Independence—Its Truth

When they subscribed and published to the world this immortal charter of their liberties they arrayed against them the most formidable nation in history, the mistress of the seas, and the proud arbitress of the world. History was against them. In the long line of nations they could find no precedent upon which they could base any prospect of success. They went back of everything else, to "the natural and inalienable rights" with which they had been "endowed by their Creator," and planting themselves upon this firm footing, they bid defiance to the crowned heads of tyranny, and challenged the criticism of an unbiased world. There is always an innate magic power in every fearless proclamation of right. When the men of 1776 sent out their Declaration of Independence they let loose upon the world a document which carried terror to the hearts

of kings and compelled the aristocracies of powerful nations to stand with uncovered heads before the American people. It was the greatest state paper the world had ever seen. None other is so finely written, or so far-reaching in its results. At each recurring anniversary the recital of its soul-stirring words will continue to awaken in American hearts a tide of patriotism, which "will flow on until the flood-gates of life are closed in eternal rest." The best feature of this declaration was its absolute truthfulness. In this respect especially it serves as a model to all times. It is also illustrative of the tendency of the human mind to cling more closely to truth as it loses sight of human systems and throws itself back upon those resources which are of divine origin. Too often the question with politicians (whose purposes cover but a narrow space) is whether the paper is in such form and phraseology as will answer the purpose. But the stalwart statesmen who framed this document, and who were acting for posterity and for eternity, were anxious to state the exact truth, and run the risk of success. They dared to do right. By the power of the truth they proclaimed they compelled a recognition of their rights. Although the "signers" have long since passed away, this paper, still pregnant with eternal truth, remains full of the vigor and power which inspired its great authors.

Enduring Character of Our Government

So with every other great achievement in our history. All that is good and true will remain,

though its authors may pass away. The institutions of freedom which have been reared upon this solid foundation have remained, amid all the changes of legislation and the corruptions of official life. A few years ago a dark and fearful war cloud burst upon us. For four years a patriotic people poured out their blood and their treasure upon their country's altar. The whole Southland was billowed up with new made graves. But when the storm had spent its fury, and the cloud passed away, and the sunshine again greeted the hills and valleys, we beheld still floating from the ramparts of our country the old flag, with not a stripe blurred nor a star erased. Four millions of bondmen stood up amid their broken manacles and beheld inscribed upon that glorious ensign, in letters of blood, this language: "All men are created equal, they are endowed by their Creator with certain inalienable rights, among these are life, liberty, and the pursuit of happiness." In the crucible of war the power of this great truth of the declaration was tested. Many persons grew fearful of our institutions because here and there a man falls or fails in duty, but so long as the people have intelligence to appreciate the grandeur of their institutions and patriotism to defend them there is no danger. It is only because the betrayals of public trust are exposed to the glaring sunshine of an enlightened public opinion that these offenses become so notorious. It is only when every infringement of the rights of citizenship is placed side by side with the exalted standard of personal protection established

by the fathers of the republic that the infraction becomes odious. The widespread indignation which follows every act of official corruption and every attack upon private right is the best assurance we can have that the people are still zealous for the protection of primitive honesty, and for the protection of their primal rights of liberty. I have not much respect for either the wisdom or patriotism of that man who ignores republican institutions, and doubts the ability of the people to govern themselves, every time he hears of a public man becoming faithless to his trust. I have the faith to believe that there is still honesty enough and courage enough in the American people to cut off every corrupt member from the body politic, and to maintain honesty in official station, as well as to preserve the liberties of the people.

Education Is the Basis of Perpetuity

In order to maintain such a healthy and vigorous public opinion as will correct abuses and punish corrupt practices the education of the masses is of paramount importance. To most persons the idea of compulsory education is distasteful, and is regarded as not being in harmony with our free institutions. It is certainly to be avoided if the object can be obtained in any other way. But if a considerable proportion of the people grow up without education, in a country where opportunities are so abundant, then an evil, and a source of corruption and crime exists, which must be met in some way, and by compulsory education, if by no other means.

For the present it is to be hoped that the end can be attained by fostering our system of free school education. Upon this more than upon any other single thing depends our freedom and prosperity. Whatever antagonizes this institution is unfriendly to the true interests of our country. No matter how insinuating or clandestine the attack, it is our plain duty to repel it with all the vigor that we would repel an attack upon the flag. Even if the outer border of this grand system be but touched by an unfriendly hand, let that hand be removed peaceably, and in kindly spirit, if it can be; if not, then by force and arms. Take away our free schools, or dwarf their power, and you make the people easy victims to the evils which have sapped the lifeblood of other republics. Encourage this institution, and you give to the present generation an absolute assurance that those who come after them will properly appreciate and heroically defend the liberties we so justly value. It is a cardinal principle of our national character that each citizen counts one in the race of life. In order to make this theory good each man must be prepared to act intelligently. Although education is not in form a qualification for the exercise of the elective franchise, it is, in fact, such a qualification. For without the power to discriminate, the ignorant voter too often permits someone else to control his right, and thereby loses his vote, and by his own act defrauds himself of that great franchise which was designed to make him a sovereign among men. As our country secures greater rights, and intrusts greater privileges

to her citizens than are given to the citizens or subjects of any other nation, so she also imposes greater responsibilities. Just as the people measure up to that standard of intelligence which these sovereign rights and exalted privileges require, just in that far will they enjoy freedom and prosperity in all the pursuits of life. Just as education is diffused among the masses, so will the material wealth and the comforts of life, which belong to a high order of civilization, be enjoyed by the masses.

How Popular Education Has Molded Our Civilization

This principle is abundantly illustrated by our past history, in the effect which popular education has had in molding the character of our civilization. Among us the most valuable inventions and discoveries have been applied directly to the development of our resources, and to increase the material wealth of our country. They have been made to contribute rather to the necessities and comforts of the poor than to the pleasures of the rich. Some nations have applied their inventive genius and their discoveries in art to the benefit of certain favored classes, while the great body of the people have reaped no advantage. Other nations have perverted these improvements to the arts of war and to gratify a bad ambition. But with us they have been employed in the arts of peace, and for the benefit of the whole people. A few years ago our government opened up a great highway from ocean

to ocean. The very purpose of this enterprise was to enable the poor, homeless citizen of the East to find his home in the great West. Our own "Centennial City" has furnished to its poor population more homes than have any of the other cities of the world. This fact, if nothing else, would have rendered it a fitting place for the exhibition which will crown it with so much honor; for one purpose of this great exhibition is to illustrate to each other, and to the world, the character of our civilization, by the nature of our production, and by what we have accomplished in the past century. The visitor to this great repository of the nations, will find among the varied productions of different nations, very many which surpass us in those finer arts that pertain to the luxuries of life, but among them all he will find few, if any, nations that excel us in those improvements which bring comfort to the humblest home, and that may be enjoyed by the entire people.

Equality the Crowning Feature of Our Civilization

The crowning feature of our civilization is that spirit of equality pervading our whole system, which enables the industrious, faithful citizen to rise from the lowest station in life to a position of distinction and honor among men. Many of those who have adorned the highest places in the gift of the people, even our chief magistrates, have come from the humbler walks of life. Titles and coats-of-arms and family histories have made a great

many kings, but they have proven a very poor material out of which to make presidents. With all our mistakes and defects as a nation, there is no other country in the world which pays as little for empty titles, and at the same time furnishes such a high premium to real, solid manhood. With us it matters very little at what place a man has been educated, if he be a real, true man. Oftentimes the poorest log schoolhouse in our land, planted near some humble mountain home, with no other ornaments than the dew drops of earth to gild it, and the sunbeams of heaven to shine upon it, has been as highly honored as the most ancient seats of learning in Europe, "with their spires and domes glistening in the rising and setting suns of a thousand years."

Our Progress in the Past

In this centennial year the nations of earth have buried their past resentments and come up to greet this young republic, and bid her godspeed in her great mission. As they file into the historic grounds of Independence Square, to engage in celebrating her anniversary, they unite with us in attesting that our experiment at popular government has been a glorious success. Our soil has not been more fertile, nor our vegetation greener, nor our skies bluer, than those of other climes, but under the benign influence of such a government, and the broad civilization which it has brought us, our "wilderness and solitary places have been made glad," and our "deserts caused to rejoice and blossom as the

rose." It was by their unwavering confidence in the God of nations, and their deathless faith in the natural rights, older and more impregnable than all the systems of oppression on earth, with which he had endowed them, that the fathers insured the triumph of their cause, and transmitted to their posterity this great heritage of freedom. By a liberal system of education, which has brought the elements of knowledge to every home, and given us a civilization that has dug wealth and comfort from our rugged mountains, and planted peace and prosperity in our deepest valleys, that posterity has preserved this glorious heritage for an hundred years.

Our Future

Let us emulate their example, and in the future, "untrammeled and free, and cultivated and virtuous, our country will continue to lead in the van of nations. Her voice will break in thunder tones across the oceans and make the world feel the magic spell of her great power. The beacon light of freedom will break upon the islands of the sea, and myriads of the race grouping in darkness and in the shadow of death will lift up their eyes and hail its long-expected approach, and welcome the day of their redemption. She will bear the torch of inspiration into the dark and benighted places of earth, and enlighten, and elevate, and save humanity."

AT REUNION OF BUCKTAIL REGIMENT, CLEARFIELD, PENNSYLVANIA, AUGUST 22, 1889

No duty is more obvious than that of gratitude to those whose sacrifice saved the honor and assured the future of our common country. That duty we owe to you in a special sense because you went forth from a section of the state to which we belonged and with which we were so closely identified in all of our interests that you were all regarded as peculiarly our own people. In all the dark days of war your trials and triumphs meant something more to us than to the people at large.

The character of your sacrifice and the part you took in the great struggle is not only written in the imperishable record of the conflict, and imprinted upon the hearts of patriotic men everywhere, but is also inscribed upon your own bodies. Some of you "are starred with bullet wounds and others are striped with saber cuts," telling us of your sympathy with your country's flag and of your close companionship with the dead and dying on her fields of blood and carnage.

There is a strong bond of sympathy between those who have battled for a common cause. This bond is tested and tried and strengthened by the trials of the conflict which gave it birth. It is not confined to the soldiers of a company or regiment or division, but reaches out to every man who fought

for the old flag. The purpose of your reunion is to brighten this bond which time nor changes nor death have broken. To renew the fast friendships formed long ago, a quarter of a century ago, when you were all younger, with faces unfurrowed by care and hair not yet whitened by the frosts of time. It is your province to garner up and perpetuate the treasured memories of the tent, the field, the bivouac, and the march. Many of these memories are rich in the unwritten record of tireless energy and sublime endurance of those who forgot self in the great cause to which they were committed. It is the unwritten history of the war which you remember and perpetuate. The instances of personal courage and heroism occurring in a battle which never became a matter of record are always the most interesting as best illustrating the character of the men who composed our great army. All this history is full of inspiration not only for you but for your children and for all who come after you.

We welcome you because we have a common interest in the whole work to which you gave the best part of your lives, and in the memories which you most cherish. Your presence recalls the scenes of the great conflict and impresses us anew with the magnitude of the sacrifice made that the nation might live.

Death has thinned your ranks. In another twenty-five years but few will be left. This reflection has special significance in the fact that but a few years since the old commander, the first of all the soldiers of the war, was carried over the flood.

His example is of priceless value to all. He was not only true to his government but to all that that involves. He was true to his home, and the home is the very foundation of government. He was true to his fellow-men, for he sundered party ties and turned a deaf ear to those who had so long stood with him to give the benefit of the doubt to Fitz John Porter. He was true to his memory of those who fought on the other side in his magnanimity at the surrender and in his kindly remembrance of them in the supreme moment when he himself surrendered to the common foe of all. The crowning memory of the war is that it brought forth from his seclusion and poverty such a man as Grant and lifted him up to his proper rank and place among men.

In a country like this where every man is a ruler, a self-governor, he is engaged in a conflict. To equip him for this he needs all the qualities essential to a good soldier. He requires the courage of conviction—the highest courage on earth. Here and now in the time of peace we must have all the qualities which give honor and success in time of war.

It is a singular fact illustrating this that it was the quiet, peaceful, orderly citizen who made the good soldier, while the bullying, fighting man at home made no soldier at all. Though invincible in peace, he became invisible in war.

We are moving forward to the settlement of grave questions of state.

Affecting the property of the people, as the limi-

tation of corporate powers. The question of whether the land and the mineral wealth of this country, lying here in boundless profusion between the oceans, shall be enjoyed by the people or by the corporations and a few wealthy English capitalists.

Affecting the homes of the people, as the temperance question. The question of whether the home and the family shall be perpetuated or whether they shall be surrendered with all that has been built upon them.

These questions are not to be settled by the commune on one hand, nor by artful time-serving political traders on the other, but by an independent and fearless and intelligent ballot. To reach the best results two classes of men are needed. At the front, statesmen with intellect enough to grapple with these questions, and courage and conscience enough to be neither frightened nor driven from their post of duty; at the rear a rank and file of sovereign citizens who will see to it that no other kind of statesmen is sent to the front.

AT REUNION EIGHTY-FOURTH REGIMENT, CLEARFIELD, PENNSYLVANIA, SEPTEMBER 17, 1890

MR. CHAIRMAN AND VETERANS: The regiment which you represent won special distinction by the valor displayed and by the large measure of sacrifice yielded upon the field of blood in defense of their country and their country's flag. Both in their officers and in their rank and file they were so largely made up of the young men of our section of the state that we followed them with a peculiar interest through all the trials and triumphs in all the varying fortunes of war. Their trials were our trials and their victories our victories. We are here in large numbers today to assure you that the lapse of years has not dimmed the recollection of your heroic deeds. Though the young men have grown old and death has so decimated your ranks that only a handful of you are left, still we are here to honor you.

The reason why the true soldier always and everywhere entitles himself to the gratitude and honor of men is that he more than others represents the spirit of sacrifice. That, after all, is the real test of manhood. Whether a man be living or dead the value of his life to the world is to be measured by the amount of sacrifice which it represents. We live in a time when too many men exercise the highest rights of citizenship solely with reference to the

amount of personal gain to be secured by that exercise. The tendency is to make merchandise of the privileges which your sacrifice alone has made it possible for them to exercise at all. To all such men your example ought to be instructive.

To the young men who are studying the history of our country, and are anxiously inquiring what they may do to entitle them to the gratitude of their fellows and to enduring fame, your example teaches that patriotism now and at all times, whether in peace or in war, is represented by service and that that service is valuable or worthless just in proportion as it embodies the spirit of self-sacrifice.

These reunions are of practical value to us in that they help to remind us what a great cost the war imposed, and to suggest that our future prosperity can only be assured by the same spirit of devotion to our country's highest interest which prompted that sacrifice. If such a spirit be dominant in our public affairs, we need have no fear for the future of the republic. One by one the vexed problems that now confront us will be solved. And as in the past, so in the future, this nation will continue to lead in the march of nations.

ADDRESS OF WELCOME ON OPENING OF B., R. & P. RAILROAD, CLEARFIELD, PENNSYLVANIA, JUNE 6, 1893

Visitors of Today: I have been delegated on behalf of the people of this community to extend to our visiting friends a most cordial welcome. We welcome you for what you are and for what you have done. We are glad to see you and glad that you have the opportunity to see us. One great advantage of railroad development is that it brings people closer together and gives them an opportunity to become better acquainted with each other, so that in a mere social aspect a great benefit is secured.

But commercially your enterprise has brought about a new era in the history and growth of our county. Two widely separated sections have been brought together, and the prosperity and enterprise of the one made tributary to the other. While the western section of the county was first settled, it was slow to develop the wealth that now enriches it. Not until within twenty years was there production of either lumber or coal upon any large scale. When that growth did rightly begin it was cut off from this, the county seat, by lack of railroad facilities. You were farther away from this part of our own county than from many business points in other adjoining counties. You were nearer to Pittsburg, on the west, and to Williamsport, on the

east, than to us. Not only were the two sections thus separated but each of these sections had railway communication both east and west without any ready access from one to the other.

That this condition is changed, and that we are now brought into closer social and business relations is due to a spirit of enterprise which is entitled to the highest commendation. It is an example which is of value to our people. If you can fully impress them with the notion that the best use of money is to employ it in developing the natural resources of the country, and that the worst possible use is to hoard it up, you will have done us a great service. We have not made as rapid progress here as our natural advantages justified. Still, we have made some progress. Our people about built the first railroad that ever came into the county, and then made a present of it, when built, to a railroad company. That was an exhibition of public enterprise rarely equalled. They paid a considerable share of the expense of getting the second railroad into the town. Really, the reason why we are giving so much attention to you people is because you represent the first railroad that ever came into our town at its own expense. We like this feature of your enterprise, not only because of the spirit of independence which it exemplifies, but also because of the faith in our town and our people which it exhibits.

We have here a town of substantial growth and of substantial people. A very large proportion of them own their homes. Few, if any, of them engage

in strikes. A small proportion of them have business in the quarter sessions. Many of them are engaged in business enterprises not only here, but also in different parts of the county, which give employment to large numbers of men and connect them directly with the principal industries of the county.

The capital which has been induced to find investment here has found a remunerative profit. When the second railroad came it found here more than double the volume of business which the first road found. This, the third road, finds more than three times that amount.

We have here many modern improvements. Electric light, steam heat, paved streets, an abundant supply of the best water. This latter improvement we do not claim much credit for. The original supply of water was of such poor quality that many of our people had quit drinking water altogether. [Laughter.] When the present supply was secured a great improvement was noted, not only in the health, but also in the habits of our people. We now all drink water—that is, nearly all.

There is no reason why the most friendly relations should not exist between our people and those who have so recently become our neighbors. The conflict alleged to exist between railroad and other corporations upon the one hand, and what is called the people upon the other, has often nothing better to rest upon than the assumption by one of these parties that the other is bent on mischief. There is no capital of more enduring value to a railroad com-

pany than the reputation of being fair and considerate toward the rights of other people. This reputation can only be acquired by a corresponding course of dealing and conduct. On the other hand, a railroad company has a right to expect fair dealing from others. It has a right to assume that it will not be regarded and dealt with as an object of common plunder. If it be disappointed in this just expectation, quite as great a wrong is done as if the fault proceeded from the company. Every breach of confidence, caused in this way, is an injury to the business of the community and to its business prospects which is often far reaching in its influence.

In conclusion let me assure you that we have a high appreciation of the large contribution which you have made to the development of our county. We are interested, as well as you, in making your enterprise a success. Our disposition is to be friendly and helpful. For this reason we receive you with open arms. During your brief stay among us make yourselves at home. You will go about our streets confining your trip mainly to the paved streets. You will have an opportunity to see our homes, our business houses, our churches, our public buildings, and our manufactories. These will represent to you the results of a progress that has been slow but sure—of a growth that has been gradual but substantial—of a people that are conservative but reliable and trustworthy. If any of you get in trouble, or need help, let us know and we will see what can be done for you. In the promo-

tion of your great business venture I doubt not that we can be helpful to each other, and that as the years come and go the prosperity and growth of our county and the happiness of her people may continue.

DECORATION DAY ADDRESS, AT DU BOIS, PENNSYLVANIA, MAY 30, 1897 (ABSTRACT)

I FEEL that you have honored yourselves in turning out in such large numbers to pay tribute to the memory of the gallant men who, over a third of a century ago, gave up their lives that their country might live; for all that we have now that is worth living for we are indebted to the sacrifice they then made. The soldier has always been honored. In all countries and under all forms of civilization, there has been a measure of appreciation of his work. The learned Egyptians, the enlightened Athenians, and the warlike Romans, all nations, civilized and barbarian, alike honored the memory of those who fell in battle. This simple tribute of flowers, renewed from year to year by loving hands, is a more appropriate and more enduring testimonial than dead marble or statuary bronze. The flowers are as fresh and fragrant today as when, five thousand years ago, they were first planted over the graves of a nation's fallen warriors. They are a fitting symbol of the fresh lives and fragrant deeds of our fallen defenders. How young they were! and how much younger they seem to us now than they did then! Their average age was below twenty-five years. The abbreviation of the lives of the survivors, by the hardships and privations endured, was said by the commissioner of pensions,

some years ago, to amount on the average to as much as eleven years. This statement finds corroboration in the rapid thinning out of their ranks.

Our soldiers were intelligent and patriotic. They were representatives of a system of education for all, and of freedom for all. They had knowledge of what they were fighting for. Not for empire, nor for ambitious leadership, but to preserve a government, the only one of its kind that had ever been preserved, "A government of the people, by the people, for the people." Out of the old republics of Europe came the art, and learning, and literature, and eloquence, and song of the world. Their masterpieces have stood unrivaled in all the progress of all the centuries. But in an evil day their better history was forgotten, and then an iron rod again ruled their land of eloquence and song. Our country has vindicated its claim to an existence which will endure when all the thrones and kingdoms of earth shall have crumbled to dust.

One practical lesson, which I think we should learn from this sacrifice, is that we, too, must be soldiers. Our lives must represent a measure of the sacrifice which characterized the soldier, if these lives are to be of value to ourselves and to our country. The reason why the soldier has found appreciation in all countries, and in all civilizations, is that he represents the idea of sacrifice for others. It does not require much civilization to enable a man to be grateful to another who has helped him. Gratitude is not a necessary product of civilization any more than ingratitude is a product of bar-

barism. Gratitude is one of the high qualities of manhood, which was not eliminated or crushed out by the fall. Ingratitude is the absence of that quality which the highest civilization cannot create or produce. It is a kind of incurable taint in the blood. Now, after a while we, too, will have gone, and those who then take our places will come to our graves. They will probably come with less of ceremony than we are here today, but still they will come. They will then have as the uppermost question in their minds how much of sacrifice, how much of doing or suffering for others, our lives represent? By that standard they will value our memories, and they will value them rightly. The one perfect Man the world has ever seen had larger measure of this spirit than any other. Hence it is that wherever he came in contact with the soldier, the centurion, he spoke to him and of him with special consideration and respect. To make this sacrifice intelligent and effective, however, we must also have courage, another quality of the soldier. It is a great mistake to suppose that the battlefield has a monopoly of all the courage in the world. Just as much courage is required in the home life, the citizen life, the church life, the business life, as on the field of blood. Many a man who has won distinction there has been found wanting in that courage requisite to properly train his own child. Many another who has bared his breast to the shock of battle, and has stood with unblanched face before the enemy, has been completely unnerved and broken by business troubles; not always because of lack of capacity, in the ordi-

nary sense of that term, but sometimes because he lacked the courage to say "No" to those outside of his own home circle, and quite as frequently because he lacked that supreme courage that would enable him to say "No" to those within his home circle. The old patriarchal idea that a man should be chief of his household, and give direction to it, is the correct one, however difficult of application in modern life. We are to have not only the spirit of sacrifice which characterized the soldier but also the courage which enabled him to make that sacrifice effective; and we are to apply that in our home life, in our citizen life, in our business life, if we would be of value to ourselves and our fellows. There never was a time when this quality was more requisite than now—in a time of great extravagance and public corruption, and when there is an organized effort to use public office for private and corrupt purpose. It sometimes requires more courage to vote honestly than it did to fight the battles which have made honest voting possible.

To the surviving comrades who honor this occasion by their presence I desire to say a word in conclusion. You represent the unwritten history of the war. Most of the incidents of personal courage find no place in its written history. It is the unwritten history which you remember and perpetuate, and that is always the most interesting because it best illustrates the character of the men who composed our great army. You know better than any others the full measure of devotion of those who surrendered their all upon their country's

altar. Some of them sleep peacefully in the graves you this day decorate; others in the thousand other cemeteries of the great North, near the homes of their childhood; while others are in the nameless mounds of the rebellion, where "strange southern wild flowers bloom over them," and where no hand of affection can place the tribute of garland. But even these nameless ones are all remembered on this day. A redeemed country is their monument, the hearts of a grateful people the tablet on which is written their heroic deeds, and the old flag the guardian of their sleeping dust. You still owe a duty to that country, for which you and your dead comrades have already done so much. You wield a weapon more powerful than that which you laid aside at the close of the war.

> It falls as softly
> As falls the snowflake on the sod
> But registers the freeman's will
> As lightning does the will of God.

No superior orders can rightly direct that weapon. Nothing but your own individual conscience and judgment. Therefore, it becomes you to use it, not capriciously, or at the dictate of any man, but wisely, intelligently, and honestly. About the saddest spectacle to be witnessed anywhere is to find the old soldier, with an army record which fits him for better things, in the hands of some political broker, who leads him into an alley, or behind a door, and tells him how to vote that he may best serve, not his country, but the boss who owns that broker. If there is any class of men on

God's green earth who ought to have a higher appreciation of government, it is the men who wore the blue, because they alone are able to tell what it cost. They above all others should see that government is free from corruption, and that they are free from the taint of corrupt men. Your duty will only be well done, and your influence properly wielded, when in every hour of your country's peril you vote as you fought, to save, united and uncorrupted,

This land of the forest and the rock,
  Of the dark blue lake and mighty river,
Of mountains reared aloft to mock
The storm's career, the lightning shock,
  Our own dear land forever.

Land of the beautiful and brave,
The patriot's home, the martyr's grave,
The nursery of giant men,
Whose deeds have linked with every glen
  The magic of a warrior's name.

INTRODUCTION OF JOHN WANAMAKER DURING THE REFORM CAMPAIGN OF 1898, AT CLEARFIELD, PENNSYLVANIA, APRIL 21, 1898

THE purpose of this meeting is to demonstrate that the people of this county are in favor of honest government. They believe that the public money belongs to the people, and that it ought to be expended for the public welfare rather than for the private purposes of some political adventurers. They believe that public office, whether executive, legislative, or judicial, should be administered in the interest of the people, and not for the purpose of bolstering up the broken fortunes and promoting the rotten ambitions of decayed politicians. They believe that this county, with its great material interests, with its progress during the last twenty-five years, which has put it in the front rank of the great counties of the commonwealth, with the record of heroic sacrifices both of the dead and of the living, and of willingness to make such further sacrifice as the times in which we are placed demand; that this county, with these vast material and moral interests, is not, and ought not to be, the property of any political trader. They feel that the time is here to now give notice to some of these dark birds here and elsewhere, who have been eager to advertise that they own this county, that their title is defective.

The one man with the courage and fortitude to wage this battle up to the very gates of the enemy is with us tonight. He is not a political adventurer; he is not even a politician. His principal occupation during the last forty years has been to attend to his own business. As a result of this somewhat unusual occupation he has now some business and some affairs to show for this attention. He is not out of a job, hanging on the ragged edge of adventure, and asking the public to keep him. Nothing of that kind. He has no other interest in decent government but that which you should have. He comes to ask you to join hands with him in this campaign for honest administration. Will you do it? While he has been a man of affairs, he has also enriched both the state and the nation by the wisdom of his thought, by the largeness of his experience, and by the disinterested character of his patriotism. He has carried this battle, and proposes to carry it from the state line on the north to the state line on the south; from the river on the southeast to the lake at the northwest. Hear him tonight for his cause.

TO CLEARFIELD COMPANY, STARTING FOR SPANISH WAR, APRIL 25, 1898

MEMBERS OF COMPANY E, FIFTH REGIMENT, NATIONAL GUARD: We are come together this evening in great numbers, as you see, to express our profound interest in each of you because of the honorable service upon which you have entered. While you represent the state and the nation, there is a special sense in which you represent us. You are the contribution which we have made to the prosecution of this war. We are here on the eve of your departure to assure you that this interest manifested in you and for you will continue down to the end; and we ask each of you to remember that in whatever vicissitude or trial or suffering this service places you, this entire community will be at your back. Every man, woman, and child is here to encourage you, to inspire you, and if need be, to render you the most substantial help. We pledge ourselves to that. Your captain has devoted considerable time and attention to the work of preparing you as well as himself for this service. By his great ability and his special training he has qualified himself to stand at the head of this company, and to receive from each of you, as I have no doubt he will, that consideration and respect to which his rank entitles him.

The war in which you engage is not a war for the conquest of territory. It is not a war against those

of your own blood, as was the war of 1861. It is not even a war waged specially for redress of some great wrong done to you or to your fellow-countrymen. It is, rather, a war for the right to protect the helpless and oppressed; for the right to feed the starving; for the right to stop now and forever the continuation of a system of human butchery near our own shores and in sight of our own people. This war is waged against the robber nation of history. Every other nation so imbued in blood and so covered with plunder has been blotted from the map of history. This and the Turk alone remain to disgrace and disfigure our modern civilization. This, being a war for humanity, has enlisted the sympathies of all our people. Whatever difference of opinion may have existed at Washington, whatever unwise things there said, whatever unwise action may have been there threatened, the final conclusion reached was very generally agreed to. Never before in the history of any of the other wars in which this country has been involved has there been such united action. All sectional lines are obliterated. All political differences are forgotten. The North, the South, the East, and the West stand together as one man for the defense of a common flag, and for the vindication of the honor of a common country.

You have much to encourage you. You are soldiers, and, therefore, belong to a class, who, in all ages, and under all conditions of civilization, have received the consideration and commendation of men. The soldier, indeed, has been the idol of

the world. This is because he represents two of the highest qualities of our humanity—obedience and sacrifice. These two qualities in some form or other, under some kind of illustration or exemplification or other, have given to this race of ours, and to society, pretty much all the progress that has come to it since the beginning. The deeds of the soldier have been portrayed on canvas by the highest art of the painter. They have been immortalized in song by the divine genius of the poet. They have been perpetuated in the enduring marble and bronze by the inspired chisel of the sculptor.

But then you are not only soldiers, but soldiers of a great country, whose soldiers have more to fight for than the soldiers of any other country. A country that takes better care of its soldiers in time of peace, as well as in time of war, than any other country. Then again you are soldiers of that particular state of that country whose soldiers were the very first to go to the front in 1861. A state upon whose sacred soil was fought the decisive battle of that great war; a state whose Legislature, under the inspiration of its great war governor, enacted beneficent provisions by which to take care of the soldier when living, and of educating his children when dead, far in advance of the legislation of any of the other states.

Then, lastly, let me remind you that you are not only soldiers of this great state but of that particular section of this state out of which came the famous Bucktail regiment in 1861, a regiment whose heroic deeds will be remembered as long as the

history of that great conflict endures. In this connection permit me to state this remarkable coincidence. That famous regiment started from this section on the 24th of April, 1861. Thirty-seven years after, on the 24th of April, 1898, only last Sunday, and Sunday as it was, a distinguished officer of that famous regiment, residing in our county,[1] telegraphed to the president of the United States, reminding him that just thirty-seven years before that regiment had started from this section of the state, and asked authority from him on behalf of the surviving comrades of that great regiment to recruit from Clearfield, and the other counties of Pennsylvania, from which the old Bucktail regiment was recruited, a new regiment for this war to be called "The Pennsylvania Bucktails." I relate this incident for the purpose of reminding you that you are not alone in this heroic step which you have taken, although you are the first, and also to remind you that the spirit which led the Bucktails to victory and fame in 1861 is still alive in our midst.

Now with such a country to fight for, with such a community as you here immediately represent, and with such sacred and hallowed memories and traditions gathered about you, at this, the hour of your departure, I doubt not that all of you will so conduct yourselves in this honorable service as to render you highly worthy of this people, and of the flag and the country in whose defense you have enrolled yourselves.

[1] Col. Edward A. Irvin, of Curwensville, Penn.

AT FLAG RAISING, TYRONE, PENNSYLVANIA, AUGUST 20, 1898

THERE are occasions which make us all akin. We lose sight of individual interests in the common impulse to honor the flag of our common country. In our ordinary relations and occupations we are very much classified. Classified in business because of the interminable divisions of labor and enterprise; classified in our social relations because of the diversity of tastes and differences of environment; classified in politics, generally, because of diversity of antecedents and training, and in this state, at this time, in particular, because of a difference of opinion as to whether the appropriation of public money to private purposes is transformed from vice into a virtue by the fact that the amount so appropriated, and to be appropriated, is large. But there are times when we are drawn out of these diverse channels to a common plane, that we may declare to our country and to the world, that nothwithstanding the greed which is supposed to characterize our business life, and despite the want of simplicity and candor which is supposed to affect our social life, and notwithstanding the corruption which is known to permeate our political life, there still remains in us something of the spirit which inspired the founders of our great country; something of that hope and courage which prompted the men who, two hundred and seventy-eight years

ago, on the bleak coast of Plymouth, knelt down and gratefully thanked the God of nations for their deliverance in the past, scant as that had been, from the persecutions of the Old World, and for the opportunity, doubtful and starless as that was, which the New World then offered to them; something of that heroism which actuated the fifty-six men who, one hundred and twenty-two years ago in Philadelphia, stood before the world and pledged their fortunes and their lives to liberty and humanity; something of the same spirit which, in our day, enabled the last generation to turn their face to the South with all its sacred memories and treasured traditions, and make warfare upon their own lineage and blood, that the Union of the states might remain to them, the descendants of both Puritan and Cavalier, and their children forever; something of the spirit of their sons who, in this generation, have both upon the land and sea registered such achievements as will outlive all the decayed civilization of their adversaries, and will shine upon the pages of the new history which the twentieth century will write until the stars will have grown dim and faded from the brow of night.

The truth is that we have in us, notwithstanding our failures, enough courage and conscience to correct all the abuses which have impaired our national life and have retarded our progress, but it is only when some great crisis appears that the public spirit belonging to the American people comes to the front. It will lie dormant while a large part of the public domain, and the public treasure, is frit-

tered away for private purposes. It will remain quiescent under legislative iniquities which paralyze both public and private property. But there are occasions when some chord is struck which vibrates through the whole mass of the people, and which finds a response in such a gathering as this.

Our trouble is that we are most fearful of outside dangers. With our capacity for equipping a great army and a great navy on short notice, and with our vast resources, we are not in any serious danger from the outside. This war illustrates that our real danger is from within. When by a larger interest in public affairs at home we protect ourselves from ourselves with equal valor and efficiency, we will then have attended to the great duty of the hour, the supreme demand of the time in which we live. We have a great heritage, great in its history, great in its resources and their development, still greater in its destiny. The lesson we have yet to learn, practically, is that the responsibility of right government is upon the individual voter; that there can be no faithful execution of public office except by faithful selection of public officials; that there can be no honest expenditure of public money except by honest selection of honest men to handle that money; that the evils which have come upon us from dereliction of duty in this respect are incomparably greater than any evils done or threatened by foreign foe.

The American flag, in its present form, had its birth in a resolution of Congress, adopted on the 19th day of June, 1777. For more than six score

years it has stood as the representation of our national peace, our national freedom, our prosperity, and our honor. In time of peace it has stood in silent vigil over our vast domain, in the night as well as the daytime, the omen of protection and security. In time of war it has led our gallant soldiers and sailors to victorious achievement. Both in peace and war it has been an inspiration to the young, and has quickened and brightened the memory of declining years. Both at home and abroad, on the land and on the sea, always, and everywhere, it has been the harbinger of victory, and the herald of better civilization.

This particular flag has been made of unprecedented and unparalleled proportions for the purpose of illustrating the enterprise of this patriotic community in measuring up to a just appreciation of the higher prestige and wider reputation which our country has achieved in its most recent history. Let both the emblem and this new history, which it especially represents, give to each of us an inspiration to higher citizenship, and better conception of the true mission and destiny of our great country.

AT YOUNG MEN'S REPUBLICAN CLUB, WILLIAMSPORT, PENNSYLVANIA, FEBRUARY 12, 1899, ON "THE SOLDIER AND SAILOR OF 1898"

THE work of the soldier and sailor of 1898 was a unique work. Nothing like it is found in the history of this or any other country. It is not within the limits of an address for an occasion of this kind to present in any detail the unusual circumstances which have given such distinctive character to this work. The most that can here be ventured in this direction is the barest outline.

There is no counterpart of the broad patriotism which prompted these men to enter with unbounded enthusiasm upon a service which offered as an incentive neither the defense of country nor the acquisition of new territory, but only the protection of an alien and oppressed people, of another language and of a remote civilization, whose principal claim on us was their weakness and their oppressed condition. This exalted patriotism gave an unwonted character to their service and challenged the admiration of the world. The conditions of climate and soil rendered the service, both as it appeared then in apprehension and as it proved afterward in actual experience, one of eminent peril. These conditions, coupled with the fact of the wide theater of the campaign, belting the globe with our arms, and whitening the seas with our

sails, combined to render the service as adventurous as it was perilous.

In the full generation which had come and gone between the time of our home war and this new and unprecedented adventure into other lands and among strange peoples, the whole art of war, both on land and sea, had been revolutionized. New guns, new armament, and new battleships had come into requisition. They had possibilities of destruction and of conquest which far distanced all prior achievements. But they were all untried. Whether they would be supported by the severe discipline, and the high degree of skill requisite to success, was the problem submitted to the soldier and sailor of 1898. How well they worked out that problem, and in how short a time, history has already recorded—the conquest of two countries and the destruction of a whole navy within a few months. Never before was an army and navy so quickly organized, and never before did they so rapidly accomplish their work. It was an achievement that both in its entirety and in the particular examples of heroism which it exhibited stands without precedent or parallel in history. But in no other respect was this work so remarkable. It was this fact more than anything else which gave us strength and confidence at home, and which brought closer to our side than ever before that other great nation whose empire stretches farther than the sun, and whose flag will continue to assure both protection and prosperity to the humblest British subject in the remotest part of that vast empire. The work of

the soldier and sailor of 1898 was well done. It will live, not only in this generation, but in all the generations to come. They builded better than they knew. They built so far into the future that the stars will grow cold before their work ceases to bless humanity. Their example and the results of their work, however, suggest to us this practical lesson: that our country is in no serious danger from the outside. Our real danger is from within. When by a larger interest in public affairs we protect ourselves from ourselves with equal valor and efficiency we will then have attended to the great duty of the hour, the supreme demand of the times in which we live. We have a great heritage, great in its history, great in its resources and their development, still greater in its destiny. The lesson we have yet to learn practically is that the responsibility of right government is on the individual voter. That there can be no faithful execution of public office except by faithful selection of public officials. That there can be no honest expenditure of public money except by honest selection of honest men to handle that money. That the evils which have come to us by dereliction of duty in this respect are incomparably greater than any done or threatened by foreign foe. To meet this responsibility and discharge this duty requires just as much courage as that which led our soldiers and sailors to victory at Santiago and Manila. It is not meant by this that any man single-handed and alone can wisely or profitably put up either his time or his fortune in a bootless battle against organized

pelf and plunder. But the hope of the state lies in the organized effort of its unbought and unmortgaged manhood to compel an administration of public office and public money for the benefit of the public, rather than for the benefit of decayed politicians and their subsidized followers.

There was a time when a young man in Pennsylvania of intelligent and honest purpose could go wrong politically. There is no longer any excuse for that kind of error. Recent events have so accentuated lines of division that "he who runs may read." The line of duty and of danger as well have been marked with such startling clearness that the man who now hesitates as to his course can no longer justify his vacillation on the ground that he has not sufficient light or knowledge on the subject. It is not more light that is needed, but more courage and fidelity. Let the example of the soldier and sailor of 1898 find emulation in the civic life of the young men in whose hands rests the future of Pennsylvania. If they are faithful to the convictions they already have, and true to the light so recently and so plentifully given them, they will soon redeem this old Keystone commonwealth from the ashes of her humiliation. They will start out their great state into the twentieth century as much distinguished by the sterling and uncompromising manhood of her citizenship as she has been during the nineteenth century by the wealth and diversity of her vast material resources.

PART V

EDUCATIONAL ADDRESSES

TO STUDENTS OF WILLIAMSPORT COMMERCIAL COLLEGE, MAY 9, 1871

My Young Friends: I am glad to meet you on this occasion and find you so earnestly engaged in the work before you. I am here not for the purpose of making a speech, but merely to visit your college through my high regard for your excellent and worthy principal[1] and my interest in the instruction which he has in charge. I think there is no part of an education more important than that which you are now acquiring. My experience and observation have taught me that a commercial education has a more direct bearing upon your success and usefulness in life than any other, for the simple reason that by this means you learn how to transact the everyday business of life. It is that kind of qualification which is more frequently called into use. We study Latin and Greek, and find them useful in acquainting us with the style and beauties of the great masters who lived and wrote in the olden time, also by this way acquiring a more fundamental knowledge of our own language, tracing out its terms and their roots, and all this, but in no view have these studies a direct bearing upon the business transactions of our daily lives. This kind of education is important everywhere, and to every people where civilization exists. But especially is it so to us who live in this great American country,

[1] Prof. J. F. Davis.

since all men, and we may say, all women, are self-governors not only in a merely political sense but in a business point of view. In Europe and some other countries the ambitions, the aspirations, and the life of the young man or woman is circumscribed and limited by the sphere in which his parents moved. He grows up in their place, moves in their circle, and drops down and dies in their footsteps. If you want to know what he is, what his status in society is, and his field of usefulness, inquire what his parents were. Not so, however, with the American young man, enjoying the blessings of a free government whose true policy is to reward merit wherever it is found. He is the architect of his own fortune. He is what he makes himself. If you want to know what he is, inquire what he has made himself. No one can transact his business or fix his status in society but himself. This being true, how important is it that he learn that science and art which teaches him how to transact his own business! It is not necessary that he occupy a prominent station in order that a commercial education be important to him. Whatever avocation, whether statesman, physician, lawyer, or farmer, it is all-important. There is no man, however small his business, but should understand how to keep and state the accounts of his business transactions. You are learning how to keep books of original entries. These may be properly termed the books in which a man keeps a record of his daily transactions of business. In a strict sense this, I suppose, includes only those books in which the first entries

are made, but by a more liberal interpretation they may be taken to include all the books in which the entries of business transactions are made, making up a full set.

The importance of learning how to keep such books correctly may be inferred from the estimate in which they are held by the law of our country. They are the fundamental security of all commercial transactions. Their value depends upon several fixed principles, but perhaps the most important point on which their admissibility turns is that the entries be made at or about the time at which the transaction occurred; when the goods were sold and delivered, or the work was done—at the time when the sharp and exact outline of the circumstances attending it have not been obliterated from the memory. And under this point books have been admitted as evidence where the entries were made the next day, or a few days afterward, when they have been transferred from a blotter or a memorandum to the day book. This exception has been allowed in a few cases, but it is a practice unfavorably regarded and always open to objection. Again, it is essential that these books present an open front, that they be free from marks of suspicion. If they are blotted or bleared, the burden of explaining these marks is always on the party offering the books. The courts regard them with suspicion, and hence it is that a man who may be perfectly honest may, through his ignorance and inexperience, be placed in an unfavorable light. Though honest, he may seem dishonest. His reputation depends to a

great extent upon the manner in which his books are kept. When free from blots, when no figures are written over others, and when in other respects they are free from suspicion, they furnish the very highest evidence of a man's claim—just such evidence of it as the law requires. Of course this is not so high evidence as a note or other obligation of the party owing, but the highest evidence, I mean, which the claimant can of himself furnish.

How important it is, then, that you learn how to transact business in this way. In no place else can you acquire this knowledge so well as in a good commercial college. If you improve your time while here, you will be prepared for future usefulness, and when your life of toil and care is ended you can enjoy the satisfaction of having lived to a good purpose and been of some benefit to the world.

ADDRESS OF WELCOME TO PENNSYLVANIA STATE TEACHERS' ASSOCIATION, AT CLEARFIELD, PENNSYLVANIA, JULY 5, 1887

TEACHERS OF PENNSYLVANIA: The people of this place welcome you to their town and county. They are pleased to regard you as the representatives of a system of public instruction which, starting but half a century ago under circumstances which were not favorable, has grown with our growth and strengthened with our strength until it has reached out and linked to itself every heart and every home in our great state. We are honored by the fact that you have selected this as the place of your present annual assemblage.

Allow me to suggest that there are reasons why we ought to appreciate this, your coming. In material development and in actual and prospective wealth our county is already in the front rank. In men, too, we are not behind other places, and this is a product of no ordinary value. It was the one thing which Diogenes said he was not able to find amid all the glittering art and monumental grandeur of old Athens, and is that without which, in all the ages since, wealth has been able to rise but little above the lower level from which it is dug. This place, however, has been the very home of distinguished men. From here they have gone out to fill the highest places in the state and nation, and the list is by no means exhausted.

But in no other direction have we made more rapid progress than in the encouragement we have given to free school education. During the first quarter of a century under the free school system so little progress had been made in this county that the county superintendent of 1859 reported to the state department that there were but three school buildings fit for the purpose. During the last quarter of a century so much progress has been made that the county superintendent of last year reported about two hundred school buildings well suited for the purpose, and only "one log schoolhouse left to remind us of our pioneer work." He also reported a larger percentage of our people as attending the Teachers' County Institute from day to day than was reported from any other county in the commonwealth. This growth has been largely due to the fact that the men from our midst who have had most to do in molding and directing public sentiment have been, as has been already stated, both in public place and in private station, staunch supporters and defenders of the system which you represent. Two of our citizens have given enduring value to a portion of their wealth by erecting temples of learning and dedicating them to the common schools and the common children of this county. I refer to the "Leonard School Building" here, and the "Patton School Building" in Curwensville.

These are some of the things which indicate that we are in a measure qualified to appreciate the honor conferred by your presence. These men, and

others who aided and encouraged their work, caught a little of the spirit of Thaddeus Stevens himself, when, in the great battle for free schools which he waged over fifty years ago in the Legislature of Pennsylvania, he exclaimed: "If I owned the whole mountain of Ophir, I would scatter its yellow dirt upon the human intellect, until, if there be one fertilizing property in it, every young idea would shoot forth with overshadowing luxuriance." That was a fitting sentiment with which to begin an illustrious career, which was rounded out and crowned by that other sentiment akin to it, which he directed to be inscribed over his ashes in an humble cemetery in Lancaster City, as explanatory of why he had selected that as his last resting place. That inscription reads thus: "I rest in this secluded spot not because of any natural preference for solitude but because I find other cemeteries limited by charter rules as to race, and I desire to vindicate in my death what I have advocated during a long life: Equality of all men before their Creator."

I say the two sentiments of devotion to the cause of education and of freedom were akin to each other for, after all, the chief glory of the common school system is in the fact that it is a common system. This gives it a breadth of base which is the surest protection to the grand superstructure which rises higher with each advance the people make toward a broader freedom and a better civilization. From this fact have come many practical results of untold value. Only a little over fifty years ago the children of the poor could find no school in all the

state where they "could acquire common education without recording themselves paupers and being recognized and treated as such by their fellows." Not only is the old system gone, but the illiberal and unchristian spirit fostered by it, if not entirely repressed, is become so unpopular that it cannot long survive. Another result of this condition is that it meets a most important requirement of education itself, in that the scholar grows up side by side with all classes and conditions of his fellows. For the well-educated man is always and everywhere a man who has somehow become familiar with his fellow-men of all sorts and kinds by personal contact. He must have touched them upon all sides, and have learned the measure of their joys and sorrows, their sunshine and shadows. Otherwise, he will be out of sympathy with them, and just in so far as he is out of sympathy with them will he be incapable of aiding them by his powers, or of aiding himself by their powers. Our colleges are very slow to learn this great practical lesson. This is not true of all of them, but it is true of some. It is often a matter of surprise why the young man who has spent several years in college is so wholly unfitted for practical usefulness, that sometimes the measure of his unfitness seems to be spanned by the number of years so spent. But when it is remembered that, during all these years, he has associated for the most part with but one class, and that his language and even his dress have been classified, and that in all points instead of getting nearer to he has been getting farther away from the

ordinary, everyday people among whom he must live if he lives to any account, and with whom he must do business if he does any business, the result is not strange but quite logical and natural.

Another result of this condition is that as the system advances the tendency is to make the education which it furnishes more and more practical. Not only are the branches taught those which are of avail in the practical affairs of life but the civilization which such a system fosters carries out its benefits to the lives of all the people, and lifts them up to a higher plane of usefulness and enjoyment, and, bringing them closer together, unites them in the bonds of a common brotherhood.

The purpose and scope of legislation as affecting this system should be threefold:

First. State aid to widen and deepen all its advantages, so that its best and highest results may come within the reach of the poorest and lowliest.

Second. Provision for special training in all the departments of skilled labor, so that our own shops may find in our schools "workmen that need not be ashamed."

Third. Enlarged facilities for study of those social and economic questions which are now so crowding themselves upon public attention that they must soon be met and grappled with, so that when the struggle comes we will have that wider intelligence which will enable us to break loose from the barriers of prejudice and "acquit ourselves like men."

With such enlarged advantages what may we not hope for the future of our state? An intelligence

so broad and a civilization so advanced that every man may leave to his children an inheritance better than all the coal and iron of our mountains—the example of a well-spent life and the opportunity for a liberal education.

BEFORE CLEARFIELD CHAUTAUQUA CIRCLE, MARCH, 1888, ON "DANIEL WEBSTER"

DANIEL WEBSTER was born at Salisbury, New Hampshire, January 18, 1782, and died at Marshfield, Massachusetts, October 24, 1852, at the age of nearly seventy-one years. Educated at Dartmouth College, he was elected to Congress in 1812, where he continued for two terms, until 1816, when he returned to his practice of law, which he followed with great success for seven years (the longest period of uninterrupted practice he had), until 1823. In that year he was returned to Congress, where he remained until 1827; he was then elected to the United States Senate, continuing a member of that body until 1841, when he entered Harrison's Cabinet as Secretary of State. In this capacity he continued into the administration of President Tyler, up until 1843; he then retired to private life until 1845. In this year he was returned to the Senate, where he continued until 1850, when he again became Secretary of State under President Fillmore, which was his last official position.

So great were his powers and so far did he transcend the other great men of this country before and since his time that nearly every recollection of him is a suggestion of overshadowing mental power and vigor, and his name has come to stand for preëminent ability.

In appearance he was large and of imposing presence, so much so that when in England, where so much attention is paid to appearance, some one inquiring who he was, when informed that he was the American Minister, Webster, said: "Why, he looks like a cathedral." In the United States, where nearly as much attention is paid to appearance, some one said of him that "State Street seemed to stand still as he walked along." His eyes were deeply set and of attractive lustre; his complexion was dark, so much so that he was familiarly known as "Black Dan." It has been said of him that he did not differ from ordinary men so much in any respect as in that there was so much more of him. In this respect he has been contrasted with Rufus Choate, of whom it was a characteristic to do nothing or say nothing commonplace. But Webster thought and acted along the same channels as the masses, reaching, however, far more ultimate limits than they. He was fond of hunting and fishing and was not without much celebrity as a sportsman of this kind among his followers. He was a farmer with knowledge both theoretic and practical, and in no part of his life did he evince more delight than when overseeing his farm and flocks. These healthgiving pursuits had no tendency to alienate his taste from intellectual achievements, but the two ran together and the one was often a reminder and an inspiration of the other. When, a few days before his address to the survivors of the battle of Bunker Hill, he was out with some companions in a fishing enterprise, and while doubtless evolving

the thoughts which made that speech immortal, he surprised everyone by an unusual and unexpected haul, which haul he thus addressed: "Venerable men, you have come down to us from a former generation." When writing from Washington to his homespun New England farmer at the close of some careful directions as to the farm work, he adds a few lines from the Bucolics of Virgil, translated in a style so plain as to preserve the simplicity and delicate humor of the original and at the same time to amuse and entertain his unclerical correspondent. On his deathbed he at one time asked that his herd of fine, well-fed cattle, in which he had taken so much pride, be driven by his window, that he might once again look upon them. At another time he asked someone to read Gray's "Elegy" to him. During the reading he was moved to tears by the simple and touching melody of this immortal poem.

At the bar and in the Senate he was bold, heroic, and masterful for the right. Early in his practice he was employed by a factory girl to collect her wages. Her employers evinced a purpose to resist the claim until it would be consumed and her patience worn out by litigation and delay. Webster resorted to an attachment process which he levied upon the master wheel of the establishment, thereby stopping the entire machinery until the claim was settled, which proved to be but a short time. In his last year at Dartmouth College he had a dispute with the faculty as to his rank and standing, which culminated in his abrupt statement to the effect

that he could get along without them quite as well as they without him. This statement was verified in the fact that but a few years later they were compelled to employ him to defend their charter and their name, both of which had been annulled by an act of the Legislature, the unconstitutionality of which had been affirmed by the Supreme Court of the state. This legislative enactment and this decision he attacked through an appeal to the Supreme Court of the United States, and by a powerful argument defeated them and obtained a decision of that tribunal affirming the charter. One instance of his power of statement is found in one of his discussions upon the nullification scheme of South Carolina. That statement was this: "The question is not whether South Carolina or the general government is the wronged party, but whose prerogative is it to decide this question, that of South Carolina or that of the general government." When he said that he seemed to say nearly all that could be said on the question.

In the celebrated discussion with Hayne he appeared to be put at a disadvantage. Hayne and his friends had crowded the discussion on him at a time when he was busy with engagements in the Supreme Court. His friends trembled for the result when Hayne had delivered his terrible arraignment of both Webster and New England. Mrs. Webster, sharing in the general solicitation for the result, ventured to ask her husband at the adjournment of the Hayne speech if he felt that he was prepared to answer him. "Answer him," said he,

"when I have done I will have ground him to powder." The result proved that this was not an overstatement.

It is said that when Judge Woodward (once judge of the district including this county and afterward on the Supreme Bench of the state) was nominated as judge of the United States Supreme Court his confirmation by the Senate was opposed by Judge Maynard, late of Lycoming County, in a two-hours' speech of unusual power before the judiciary committee, of which Webster was a member. At its close Webster said: "Well, Judge Maynard, if Judge Woodward is qualified to answer the speech you have made, he is fit for a place on the Supreme bench, and until he does come here and answer it he cannot get my vote." He never came and never got the place.

It is an illustration of how small a part of real greatness or success is due to money that Webster lived and died a poor man.

With all his wonderful powers he could neither make nor save money. From his earliest to his latest appearances at the bar he was the watchful and successful guardian, defender, and advocate of the largest pecuniary interests and estates of other people.

In the Senate from first to last he was the eminently successful defender and expositor of economic principles, which in their later development have quadrupled our national wealth. But his largeness of capacity which qualified him for this greater work at the same time disqualified him for

the smaller business of acquiring wealth for himself and family.

Webster was not without many failings. A conspicuous illustration of his weakness in the bid for presidential honors was his speech of March 7, 1850, in defense of the Fugitive Slave Law, which prior to that speech was a dead letter in New England, but acquired a terrible vitality through his powerful influence. Wendell Phillips, with an exaggeration of statement peculiar to him, says of this speech: "It is called the mistake of his life. This is wrong; it was not a mistake but a crime." We can scarcely judge discriminatingly at this late day of the extent of the wrong involved because of the wide change in public sentiment since that day.

He was a drinking man and often drank to excess. The change in the customs of the people, and the revolution of public opinion on the question of intemperate drinking which the last fifty years has produced, almost disqualify us from judging discriminatingly of the effect of this vice upon his life and career.

AT BELLEFONTE ACADEMY COMMENCEMENT ON "EDUCATION," MAY 31, 1895 (ABSTRACT)

As these young people have been applying themselves to their books for many months, and very efficiently too, as their exercises this afternoon indicated, it may not be inappropriate that I speak to them and to you of that kind of education which is outside of books, for I think you will agree with me that that constitutes not only the greater part but the more important part of our education, and that books are chiefly valuable in so far as they aid in the work of that wider education which we are to get in the outside world. The single thought that I desire to impress is that our real success in life lies much closer to us than we are apt to suppose, and that we are in constant danger of missing it by trying to do some great thing and by assuming that we can only be successful in some great work. The great majority of men strand themselves in the effort to reach beyond the scope wherein success lies. Most of those who seek wealth wreck themselves in the effort to acquire a greater fortune than they have capacity to rightly use if acquired. Most of those who seek fame strip themselves in the mad race for an empty bubble of those very qualities which otherwise would have entitled them to and might have won for them the good will of their fellows. What the world most needs is men of simple tastes, of honest effort, and

contented mind. The man of real power is an unpretentious man, a man who does the duty lying nearest him; does it quietly, patiently, imperfectly it may be, but still he does it. In him there is an entire absence of all that is intended for mere show. He may not have much learning. As a rule, he has not. His principal secret may be that he has applied himself to learn thoroughly one thing and as a result has accomplished that.

One great element of success is practical knowledge or tact. To know how to use the knowledge acquired, and thereby make it available for practical purposes, is of more importance than is its acquisition. It is not knowledge that is power but knowledge in action. There is something about a book which abstracts, and it is only by continuous effort to appropriate to useful purpose what we learn in books that this tendency is overcome. Homer sang his immortal Iliad not for fame but to arouse his country, and to win the bread and lodging which his blindness rendered him ill able to otherwise win. So with every great and enduring work. It was wrought out for a practical purpose and generally with little thought of fame. The men most valuable to the world are not those who advertise themselves as reformers. The women whose loss would be most keenly felt are not those who clamor for broader suffrage, and higher sphere, and more rights generally, but, rather, those whose sphere is the home and whose kingdom the heart of that ever-widening circle to whom their sunshine and their influence like a benediction ever comes.

The average boy is practical and deals with the actualities of life. If you undertake to strip him of all that is bad and to fit him for a special position, you will generally fail. A better plan is to study his bent of mind and to direct his work as closely in that direction as may be safely done. It is not so much by repressing the bad as by developing the good that hope of his future is given. Men are not unlike boys, and what is studied or found out incidentally, and without the sense of its being a matter of study, constitutes the greatest part and also the most useful part of knowledge. Milton says: "To understand the common things of life, this is the prime wisdom."

Tact is not what the world ordinarily calls shrewdness or sharpness. It is simply the capacity to understand and do in a given direction—not in every direction—the right thing at the right time and in the right place. Some of the masters of this art in one direction have been correspondingly lacking in all others. Witness Machiavelli, the master of all the trick and strategy of politics, a failure in domestic finance; Adam Smith, teaching nations economy and failing in the economy of his own house; Robert Morris, the great financier of the Revolution, dying in a debtor's prison; Grant, the head of the greatest army and the chief magistrate of the greatest people, with so little knowledge of business affairs after he became president as to not know when a check was properly stamped. Sherman said of him that his success beyond that of other generals was not so much in knowledge or ex-

perience as in the fact that he was never troubled, as they were, by groundless apprehensions as to the movements of the enemy.

The average young man expects to make a success in life, but at the threshold of his career, as he looks out on the future hopefully, he is so enchanted by his ideal world springing up from created fancy, clad in beauty, that he is continually liable to undervalue practical knowledge and practical sense in the use of the same. He will not believe that the plain, common people about him know a great deal more of what is of value to know than he does. His danger is not always that he may not aim high enough. There is even more danger that he may overlook the very things upon which his success depends. Socrates asked the young man who came to him to study oratory double price, because he said he had to teach him two sciences—the one how to speak, the other how to be silent. Education is the development of mind and cultivation of heart. The most practical development of mind is often indicated by its power to discover the myriad forms of beauty which have lain hidden from the gaze of the world by reason of their seeming insignificance. Invention and discovery, starting at the very little things in life, reached out to results which have revolutionized all forms of labor and crowded into half a century a condition of progress which the wisdom of untold centuries failed to find. The falling of an apple was to Newton the discovery of the value of the great law of gravitation. The noise of a simmering kettle to

another discovered the steam power, with all its wonder of development and civilization.

In the world of mind and thought a like principle of progress is found. The early philosophers undertook to explain and define the essence of mind and the mode by which thought is produced. Now they only attempt to understand what the mind does, what the results of its processes are. The balance is conceded a mystery. The practical results of education illustrate the same distinction. In business life the men who fail are usually the dreamers, the adventurers—those who dream of great gains in the future, without any realizations in the present. They neglect the legitimate trades for some splendid scheme of making money by other than the usual means. The successful business man applies common toil, common prudence, and ordinary economy, and builds up his fortune right alongside of the other, not by reason of great shrewdness or great foresight, as the world says, but by reason of ordinary care, common prudence, and common sense. In politics the failures are those who promise a remedy for every complaint. They build the platform too high. The few individuals who do succeed in climbing to its giddy height are blown off by the first rude shake of public opinion, and down goes the structure and buries in a forgotten, if not an ignominious, grave its own architects. The best cultivation of heart leads to the exercise of charity where it is most needed—toward the distressed and unfortunate of our race. The young man who reaches the best re-

sults in education must come in contact with the masses and will derive his best inspiration and development from his contact with the life of the people. Those who in every land are guiding the state and directing the life of the people have come up from the ranks. The difference between the two classes is not so much the edict of nature as the result of education, it is a kind of education which books and colleges sometimes fail to furnish. It is the cultivation of the human heart by means so simple as to be understood by everyone, but so unpretending as to often be overlooked by the ambitious student and the lettered collegian.

This principle that the higher progress comes from the simpler method runs through all human effort. It is illustrated by the works of the great men in literature—as Herodotus in history, Plutarch and Boswell in biography. So in Bible history, Moses, the lawgiver; David, the warrior, statesman, and musician; Job, the great man of the East, with his wealth and misfortunes, and out of the latter his greater and broader manhood. So in New Testament history the advance of the church in the hands of the few unlettered fishermen and their companions, everywhere illustrating the truth that "foolish things of the world were to confound the wise" and "the weak things of the world to confound the things which are mighty."

As a man rises from the mental and moral degradation imposed by his fall he will more closely resemble his primal self. As he advances in achievement he will get farther away from the pomp and

show which mislead him and will more nearly approach that simple grandeur which distinguished him when first he came from God—when the Divine Author fashioned him after his own likeness, placed upon him the stamp of deity, and sent him out to drink in the sunshine and forever repose amid the glad scenes of Eden's untarnished beauty. He has been in search of this simple freedom for six thousand years. He has here reached a land and started a civilization where better than elsewhere he may attain this, his high goal.

ON A PUBLIC LIBRARY FOR CLEARFIELD, NOVEMBER 13, 1895

For many years suggestions have been made from time to time of the importance of a public library to this community. Sometimes these intimations have been made in the papers, and at other times an individual has ventured to make such an observation to another. Generally, the interest shown has been by those who, unfortunately, have had little or no money with which to materialize such a commendable desire. It has also happened that these instances of interest have been so individual, or so feeble, or both, that up to this time, so far as known, there has been no concerted and persistent effort in this direction. It is believed that with the wealth and intelligence and public spirit we have here such an effort would be successful.

The importance of a public library ought not to be a matter open to question or discussion. Outside of the home and the school nothing else will contribute so much to the right direction of the thought of the whole community as a well-selected library to which all may have easy access. To this end the selections should be so made as to cause all creeds and faiths to feel and have an equal interest in the common enterprise. It should be by the public and for the public. Organized in any other way, in a community of this size, it would fail of success. The influence of such a work on us, and

for us, and our children, both here and hereafter, cannot be estimated or overvalued. It is one of the silent, imperceptible influences, and thereby allies itself to all the really great forces of time and eternity. For the young it promises more than for any other, because they are more easily within the reach of molding influences than others. But it is upon the young that the future of our community depends. Whether it will be a place of healthful moral sentiment, of enterprise, and upright dealing, a safe place for their children to grow up in, is for them to determine; and they will then determine this largely by the kind of reading which we now place within their reach. But those who are no longer young, and those who know little if anything of books or literature, as such, may also reap great benefit. Now more than ever is a good library of value to all classes, if they can but read. The results of all effort at trade, art, commerce, and finance are now garnered up in books as never before. A single illustration of this is the greatly improved methods of gathering up and tabulating census returns, not only in our own country, but in many others. The great cyclopedias that are still, ordinarily, within the reach of but a comparative few, teem with such results tersely expressed in easily understood language. The glory of a public library is that it brings the trophies of the world's progress in all art and science and invention and thought and lays them at the feet of every man, woman, and child in the community however humble or unlearned. Here the busy man of affairs,

who may selfishly care nothing for books, except as he may find something in them which will help him to make money, can turn aside and quickly find that which may be of much avail to him even for that purpose.

In these days of cheap books and cheaper newspapers there is a dissipation of intellect resulting from the loose and careless reading which an oversupply of such literature induces, and which tends to unfit one for thoughtful and reflective reading. One of the best correctives of this unhealthy tendency is the inspiration and taste for good reading which carefully selected books impart.

There never was a time when right reading and intelligent thought were so essential to good citizenship as now. The fundamental principles of government, and trade, and finance, recognized and acted upon by all highly civilized governments and peoples for centuries, are now attacked and threatened as never before; and this not by novices but by highly educated and brilliant writers and speakers. Their appeals to the masses, mixed and unmixed alike, in all the centers of population, especially through the continually widening influence of the public press, is a constant menace to the foundations of law and society and government. We have, indeed, come down to a time when the only safeguard against this aggressive, organized, and irresponsible power which defies everything, and threatens everything, is not so much the law as the intelligence and integrity of the masses, who both make and unmake laws and lawgivers.

An intelligent and honest and discriminating citizenship will also guard against other dangers. It will insist upon fidelity in those who administer and execute the laws. It will take away the occupation of those who seek and use public place for private pelf and purpose. It will render both unprofitable and perilous the dastardly business of those who make merchandise of official trust.

No great public improvement has ever been rightly undertaken in this community which has not resulted in success. If this, the greatest and the one which has in it the largest possibilities for permanent good, be undertaken in the broad and liberal spirit which it has always indicated, it cannot fail of success.

Let it come in this way, and our people will have conferred upon them a legacy which no storm, nor fire, nor flood can ever take away. It will be reproduced and perpetuated in all their generations. All the glitter and jewels of personal adornment pale into insignificance by the side of that richer adornment by which the mind of man is so garnished and dowered with imperishable truth as to fit him for the highest measure of usefulness here, and qualify him for that higher and better commonwealth which will endure after the stars which are set in the brow of night shall all have faded away forever.

ESSAY BY JENNIE REIGHARD, OF WILLIAMSPORT, PENNSYLVANIA, BEFORE TEACHERS' STATE ASSOCIATION IN COURTHOUSE, GREENSBURG, PENNSYLVANIA, 7:30 P. M., AUGUST 11, 1869. SUBJECT, "STILTS"

On every part of the universe mystery is deeply graven. The smallest object is a combination of properties, which we are in no way able to comprehend, while we stand in perfect awe before the greater exhibitions of nature. "Thus far and no farther shalt thou go" continually arrests our progress, but nowhere is it so soon reached as in exploring the mysteries of the mind. Man forces the elements to convey him and his merchandise across continents and oceans, regulates the motion of the fiery lightning, and forms new compounds from existing elements, but the human mind, gloriously unequaled, so changing, so constantly exhibiting new powers, yet ever the same, as to furnish study for an eternity, and then be an enigma. The advancement of youth, the degeneracy of old age, how incomprehensible! The great awakening into new powers, how strange and wonderful! Who could trace the various governing powers, and the many influences brought to bear in the development of those powers? There is an inherent capacity in every mind, but the manner in which that capacity is manifest depends very much

on association. Ambition is an essential element of true greatness, one of the attributes of a noble mind, but we find it almost everywhere. Is there a man who does not look forward to the future as something greater than the past? Who has not his dreams of popularity, however small? This ambition does not need to be planted or fostered. Let other requisites be found, and it grows rapidly with every stage of advancement. Each child has his own ideas of greatness which is early manifested. We have only to notice the boys on the street to tell what is their ambition, and it is amusing to see the various means devised to give the appearance of having reached the coveted state of manhood. The boys are not blameworthy but their instructors are. Who thinks of giving them an idea of what a boy may now do while they have a world of literature, addresses, and exhortations telling them what is before them as men, how they are to prepare for that great time, and the immeasurable benefit flowing from that stage of life, until the present becomes an intolerance, and they hasten by curiously devised means the golden time to which all their dreams and aspirations are directed? The stovepipe hat, in connection with which we associate ideas of age and experience, is one of the first resorts, and how our discriminating powers are shocked upon looking under such hat, where, expecting to find some venerable friend, we behold the face of an ambitious youth, having, in addition, that crowning glory, a mustache—all distinctly seen through a cloud of gracefully curling smoke. With a still younger

class, though the manifestations be different, the desire is the same. Not long since, meeting a boy, whom we had supposed devoid of aspirations, mounted on stilts carefully painted, and exhibiting no little ingenuity in manufacture, a compliment on wonderful growth was followed by an assertion, with the most genuine expression of pleasure we ever beheld on his countenance, that he had made them all himself. May he reach the coveted size! If not, in his future years very likely it will be found on comparing the difference between the general appearance and the size of the man minus high hat and heels, that he has not abandoned stilts. From childhood to old age life is a constant striving to sustain a false appearance. The boy uses every available means to become a man, which he no sooner is, than he finds the great care is to catch the passing years and, stringing the golden circles, compress many into one, that every human ingenuity is to be on the alert removing the footprints of approaching age. Ladies are accused, and sometimes justly, of having a wonderful recurrence of certain birthdays, but are gentlemen never guilty of that wonderful phenomenon? A gentleman is never more willing to tell his age, and he removes with equal care all traces of approaching years. We have a common saying that if a woman dies, her husband agrees to dye his hair. The deepening wrinkles are pressed with loving care—not love for the wrinkles, however—and a name signed half on the line and half under the line rather than acknowledge the use of glasses, which all know to be

necessary, and then when the poor success is made manifest, how ladies do have to suffer for being so much more skillful. But why is age such a disgrace, and anyone so much less esteemed for having lived a few more years in this world? There are enough other places where resort is had to artificial means to keep pace with the expectation of the world. This all who hasten through the early years of life learn sooner or later. In the great lifework what a difference is found in the controlling agency of that life! A man with no distinguishing characteristics, as far as observation goes, pursues his daily toil quietly through life and calmly is laid to rest. A few words of inscription above his remains show he was dear to someone, a few tears water the green sod, and he has passed completely from this life. Another possessed of burning ambition endeavors to make for himself a name, spends a life of toil and care, when one misstep, which he thinks will bring the long-desired honor, overwhelms him with shame, and he, a victim of disappointed hopes, sinks into an untimely grave, while some men of rare talents attain the coveted eminence and scatter from them blessings on all mankind. These men call forth and richly merit the homage of the human race. We may be proud to look upon them and call them men. Their greatness hangs a benediction over all. We know that they are possessed of like natures with ourselves, and, having so exalted a manifestation, realize how the same nature increasing in all noble qualities will attain the perfection of the future world. That

> Lives of great men all remind us
> We may make our lives sublime,
> And, departing, leave behind us
> Footprints on the sands of time,

may be true, perhaps is. Every life that has acted well its part is sublime, but that part may lie in utter obscurity, that work so simple the world may never see it, yet we have the consolation that the everyday work of God is as much an evidence of his omnipotence as the most wonderful miracle. The tiny shoot that springs from the embryo embedded in the soil, grows gradually into the green stalk, fills the yellow ears with the nutritious grain, requiring throughout its growth the proper amount of rain and sunshine, exhibits the power of the Creator as fully as the miraculous feeding of five thousand, when all the work was instantly done, and the few loaves extended to great numbers. So, though we may not attain greatness, let us be satisfied with our lifework, and while we think of those above us with admiration realize that ours is an humble sphere. Misdirected ambition has made wreck of many a life, and that ambition is misdirected which is excited without the proper materials at hand for its consummation. How often is unwise counsel heedlessly given to the young! If a stranger drop into your school, a request for a few remarks will be followed by an exhortation to faithfulness with promises of a bright reward; the advantages of a free country dwelt upon, and "Boys, you may all be presidents of the United States." Utterly false, never instill such ideas into a mind which is being

educated. A free country does not mean a contest for position in government. There are other and higher blessings which are the outgrowth of such an institution. Were freedom used merely for the exercise of ambition, democracy would become an intolerance. Adopting the motto of Henry Clay, tell them to say, "I would rather be right than be president." Teach them that all work is honorable if that work is well done, that every life is well spent, if spent in the performance of the work made plain by Providence, no matter how humble. It has been said that education creates nothing, and at best but develops. This is, perhaps, undeniable. When the best individual efforts of the present day are compared with those of ages past it is very manifest that no brighter intellects add luster to the achievements of the nineteenth century than have long since lighted the world with the fires of their genius. But the world has progressed; education has been seeking wider and wider fields of operation. Not always, it is true, in expanding in an equally increasing ratio, but with accelerating force. The result has been most auspicious. The narrow circle in which the learning of the ancients was locked has been broken. In some portions of the earth, at least, the day has dawned when the masses are offered many of the best results springing from the association of man in one common nationality long the monopoly of privileged classes. This result has not been reached without effort, nor could it be. The fetters to be stricken off were of no ordinary kind. They were such as bound and

dwarfed the intellect and suppressed the noblest aspirations of men. A schooling to produce the result achieved was furnished in the reforms, convulsions, and revolutions which for centuries agitated the world, and in which the purposely neglected masses, received an enforced and unlooked-for education. This gradual assertion of the rights and equality of man has manifested that these terms are not mere idle words, but are founded in a just estimate of God's teaching; that if education creates nothing, it yet develops that which will elevate its exclusive possessor to a dangerous superiority over less fortunate fellow-citizens, and that his comparative elevation will in turn rapidly disappear under a free and just development, springing from the enjoyment of equal privileges. Education itself, then, may be the stepping-stone to oppression and tyranny. If not enjoyed in common by the entire community, it is a lever elevating fortunate monopolists above equally worthy fellow-beings, creating artificial distinctions where there are none in nature. For, however men may differ individually, this history has settled beyond cavil, that the races of men are not naturally divisible into classes of mental, physical, or moral powers. Excepting the individual superiority distinguishable in every condition of society and in every age, it cannot be doubted that the gifts of the Creator are quite equally distributed. The so-called classes do not vary materially in natural endowments. Unusual privileges or hardships, it is true, may render this less apparent, or less uniform than stated. Thus

dissipation, effeminacy, and decay of privileged or aristocratic classes, the degeneration, oppression, and slavery, even of others, but show that the best natural endowment will succumb to long continued abuse, whether self-inflicted or otherwise. In the varying fortunes of history we see portrayed the rise and fall of classes, their positions of dominancy and subserviency changing with the lapse of time. The dominant class using its day of power to oppress that to which it was formerly subject, and in its turn falling a prey to the licentiousness and folly that had ruined its predecessors. Education, then, and the numberless advantages following from it must be the common boon of the whole people to rightly benefit the nation. Otherwise, the teachings of history are ignored, the cause of much human suffering and contention in the past perpetuated, and a monument of folly erected, with but a foundation of stilts to rest upon, the superstructure at any moment liable to topple from its base and engulf the nation in woe. Fortunately, it is unnecessary in this age and now to contend for full, free, and liberal educational facilities. This battle has been fought and won and it may well be hoped that a position in human affairs has been reached from which there will be no retreat. But there is doubtless still much for us to do, who have had no lot in the planting of the tree. It should have a symmetrical growth. Many shoots should be transplanted, and all the people throughout this broad land and the world, by our example, led to a nobler and higher existence than was possible under the old régime.

ESSAY BY JENNIE REIGHARD, BEFORE TEACHERS' STATE ASSOCIATION, IN ACADEMY OF MUSIC, WILLIAMSPORT, PENNSYLVANIA, 8 P. M., AUGUST 8, 1871. SUBJECT, "LABOR AND REST"

Labor and rest are the two great lessons which the world first learned from the Divine Author. From his labor sprung its existence and in his rest originated the day of its sacred repose. These lessons were taught in the creation of our planet and its inhabitants, and they still speak out to us from every change of the outward life of the one, and may still be learned from every advanced step in the progress of the others.

At a small distance below the barren and rocky surface of our earth there are to be found the treasure houses which, when unlocked, as many of them have been by the hand of labor, have proven a great source of our material prosperity. But these riches are not altogether the product of human skill and toil. They are now to be found because ages ago, in the bygone time, the clouds, the air, the sunshine, these quiet workers of God, were over this same surface, fostering into being a luxuriant vegetation. As some of the world's benefactors are but poorly appreciated by those who mingle with them in life, and are understood only by their coming fellow-men, so this vegetation may have been little prized by the people who then walked

amid its shadows and enjoyed its fragrance; but it is none the less valued now, since the lapse of ages has not only crystalized its leaves and twigs and branches into mines of wealth and gems of beauty but has also brought forth a race of people better fitted to appreciate this value. As generation after generation of men passed from the stage of action, so, one by one, each of these silent members of the woodland worked out its life mission and sank to rest in its leafy tomb. The roll of centuries covered up their last vestige from the gaze of humanity. No fruitful soil or grateful sunshine can ever again wake them from their deep slumber and invest them with the vigorous life which they once possessed; but even in this state of rest, they are no less useful to mankind. The same trees which graced the lawn, gave beauty to the forest, or furnished shelter for the weary traveler in the ages gone, are now brought forth in a different form, to drive out from our homes the wintry blast, to deck with beauty the halls of art, and to so light up our cities and towns as to almost change their midnight into sunshine.

It is thus through the agency of labor that the vegetable and mineral kingdom are made to contribute to our happiness. The work of the Divine Architect, slowly developing the earth and keeping the universe in motion, furnishes the strongest incentive to human labor, and leaves it to adapt the varied forms of inert matter to our convenience and comfort.

The same relation exists in the intellectual world.

God is himself the great Educator. The whole earth, with its glittering rivers, grand old mountains, and shadowy vales, is his laboratory. "The steel blue canopy of the stars" is the map which he spreads out before us; the broad expanse of ocean, the canvas thrown out upon which he paints the beauty of the earth and mirrors the glories of the heavens. In every department of this great school the voice of labor is heard. It is murmured by the brooklets as they bubble up pure and bright from their home on the cragged mountainside, and thence work their own way to the far-off depths of the valley. It is echoed back by the surging river as it marshals its tributaries and travels on in its own winding course through farm and woodland until it finds rest in the ocean. Its music is chanted by the spheres as they roll in their ceaseless orbits. The sweetness of every flower of the landscape, the fragrance of every leaf of the forest, are freighted with the perfume of labor.

With such a teacher and under such a system of instruction it is strange that there are any idlers. Idleness here has no encouragement. It is an unnatural condition, hence it is that childhood is in many cases the most merry time of life. The first faint efforts of mind and body are then continually called forth by the attractions of surrounding nature. If no effort is made to go beyond the boundary line of these first attractions, the natural and moral growth stops, the wheels of progress stand still, and the busy child, sitting down into that inert, satisfied condition which we call idle-

ness, becomes a worthless man or woman. It is the object of education to so lead out the faculties of the unlearned beyond the circle of knowledge which affords entertainment to his childhood that by successive discoveries of truth he may never grow weary, but may find that rest and enjoyment in the contemplation of each truth which will invigorate him for additional research and higher attainment. Education proposes to make nature no less interesting to him in the later years of life than when her enchanting beauties first sprang upon his vision and wakened into life the first faint gleamings of his intellect.

It is only the earnest, active worker who is in sympathy with nature and can appreciate the instruction she is always imparting, that can enjoy rest. There is no rest but that which derives its charm from labor. The idlers who recline along the shady walks of life, seeming to enjoy perfect contentment, know nothing about it. It is only the zealous laborers who bear the "burden and heat of the day," whether they toil in the field, the workshop, the state, the church, or the schoolroom, who can enjoy the brief moments of repose which their pilgrimage affords. It is these who are fitting themselves for the glorious habitation where the weary are forever at rest.

PART VI

CHURCH ADDRESSES

"CHARACTER OF MOSES," BEFORE CLEARFIELD SUNDAY SCHOOL, JUNE 27, 1874

THERE are a few characters in history which so far transcend the common level of humanity that for all time they stand out in such bold relief that they can never be lost sight of. They can never become so mixed up with the millions of others who have lived and died but that we can readily distinguish them. No matter how far we have to look back along the line of centuries, we can easily recognize their stalwart forms and massive brows bending overladen with that mass of thought and action which has torn the world loose from its premature slumber and sent it on a thousand years farther in its progress. Of this superior cast was the character of Moses. After the lapse of thirty-five centuries the luster of his fame is undimmed, and each advance in literature and art instead of eclipsing the splendor of his attainments only serves to illustrate the wisdom, humanity, and faith which crowned his life. As is often the case with great men, the greatness of his life came in his late years, after all his powers were fully matured. We first read of him in childhood, placed by affectionate hands along the bank of the historic Nile, that he may there rest in his little ark of bulrushes, rescued from the bloody edict of a wicked king. He seemed not to have differed, at least in one respect, from most other children, for we learn that

when the king's daughter found this little ark by the water's edge among the flags and opened it, and saw the child, "Behold, the babe wept." Though by birth a slave, he was brought up in the king's household, and educated in all the learning of the Egyptians. By a fortunate circumstance he was placed under the care of his own mother, and no doubt received the advantages of a pious mother's instruction. He remained in the Egyptian court for about forty years, when God put it in his heart to visit his brethren, the Israelites. He observes the severe bondage under which they were groaning. He shows his willingness to serve them. But he seems discouraged by the magnitude of the work, and by their unwillingness to accede to his plans. He also fears the wrath of the king and flees to the land of Midian. There he becomes a shepherd and leads a quiet life for forty years more. Yet he has had advantages of the learning of the Egyptian court, and of the knowledge of the oppression of his brethren. A great deal of wisdom is shown in selecting a deliverer possessed of both these advantages, because it was important to him to know both the character of the oppressors and the nature of the oppression. Added to these advantages he had, above all, the grace of God in his soul to prepare him for the great work.

Again the angel of the Lord appears to him in the burning bush at Mount Horeb. The voice of God speaks to him, and the great purposes of the Divine Mind are fully made known. It reminds

him that this is the God of his fathers, that he has witnessed the bondage of the Israelites, and he desires through him to deliver them from bondage, and take them to the goodly land long since promised their fathers. There are many reasons why this deliverance was not sooner prepared for the Israelites; one reason, no doubt, was that God desired that the leader be fully prepared for his work. Another reason was that the people must be deeply and terribly convinced of their real condition and their need of deliverance before they could be made to quit the land of Egypt, and this is in accordance with all human history. A people will suffer long and grievously before they quit the scenes of oppression or allow themselves to be relieved. So it was with this people. Their labor and blood had given to Egypt its government, its wealth, and even its political existence. Its greatness and power had been wrested from the sweating brows of these sons and daughters of toil. For this they received nothing but the most cruel treatment, and still they clung to this soil of oppression. For long years their fettered breathings had ascended to the throne of the Great Deliverer until he remembered his covenant with their fathers, and the deliverer was sent.

Moses was a modest man and hesitated before accepting the great trust conferred upon him. He made many excuses; among others he complained that he was not eloquent, but slow of speech, and of a slow tongue. But God assures him of His presence and His power. He places in his hand the

rod, the emblem of power, and sends him out on his exalted mission. The history of Moses while engaged in fulfilling this mission exhibits the highest type of human character. It may be said that all the great work of his life, was, after all, the work of God. But this is not correct. In everything he did there was something of Moses. True, he was guided and directed by the Divine One, but much of his greatness consisted in allowing himself to be thus guided. It was this quality which made him such a great leader. He himself had learned to obey, and this should be the first attainment of every commander. He was the leader of an enslaved, murmuring, and disobedient people. But he was ever patient and self-denying in his efforts to serve them and promote their welfare. Very often, when their wicked murmurings had drawn down upon them the divine displeasure, this leader stood forth as an intercessor to stay the storm of God's wrath. At Mount Sinai, through the prayers of Moses, the people are forgiven for their shameless idolatry. Again, when the congregation of Israel listened with a flattering ear to the evil report of the spies concerning the Promised Land, God threatened to visit them with a pestilence, and to disinherit them, and proposed to exalt Moses and his family above them, and to make of them a greater and mightier nation. But Moses prayed for the people that they might be forgiven and their nationality preserved. His prayer was so far answered that while the older Israelites, except Caleb and Joshua, perished in the wilderness their chil-

dren were spared to see the Promised Land. Their nationality was preserved. Moses believed in prayer. He fought his greatest battles on his knees. He was carrying out God's purposes, yet when the wickedness of the people provoked the divine wrath, and the divine punishment was announced, still Moses would not leave the people to the wrath of God, but he appealed to his mercy, and he was generally successful. There is no better illustration of the power of prayer and the power of faith than in this sublime history of this great leader. Like some persons who live at the present day, the Israelites were always getting in trouble, and if there was no good opportunity to get in trouble, they made trouble themselves. These forty years' experience was as checkered and devious as was the devious and zigzag path of their travels. They so managed affairs that almost continually there was a storm brewing. At such times Moses, when severely pressed by their murmurings, goes up on the mountain and communes with God. When he returns again to his people he is firm and immovable in his faith as the mountain itself, and, like it, while storms and clouds and murmurings crowd around his feet, eternal sunshine rests upon his head.

But he was something more than a leader. He was a legislator and a statesman. He established the first representative government on earth. He established a system of laws, and also a system of courts in which to enforce those laws. It would be curious and interesting to trace out the close

analogy existing between the executive, legislative, and judicial departments of his government and those of our own government at the present day, but I have not time to do this. There is no great principle announced in the Declaration of Independence which Moses had not given to the world over three thousand years before. We are much more indebted to him than to Thomas Jefferson for that immortal document. The doctrine of the equality of men before their Creator, the right of a people to govern themselves, and its other great principles were immortalized before its framers were born. The laws which he enacted for the government of the people show the greatest humanity and wisdom. They are, after all, the foundation of every correct code which has been framed since his day. They are the granite rock upon which alone every solid system of laws must be based. He so provided for protection of woman, that in his day her condition was better than under the highest civilization of Greece and Rome. In his time there were but twelve capital offenses, while three thousand years later there were two hundred and sixty-three offenses punishable with death in England. He made ample provision for the protection of the wages of the laborer, and if his law had been carried out to this day, it would have saved a vast amount of legislation on the question of the preference to other debts. His law was in these words: "At his day thou shalt give him [the laborer] his hire, neither shall the sun go down upon it; for he is poor, and setteth his heart upon it." This law, if

carried into effect, I have no doubt is the best law ever passed on the subject. He was not only a wise and humane legislator but also an honest one. He made no effort to provide good places either for himself or his relatives. On the contrary, we have seen where he refused an offer of this kind. His own tribe, the Levites, were left without rich possessions. They could never rise to any political importance. They were servants of God and in this service realized their highest ambition. There is no account of Moses ever receiving any back pay, or any investments in forbidden stock. He lived and died without these. His only earthly possessions were his tent and an unknown grave in the land of Moab. But by suffering with the people of God he won a richer and better treasure than all the ill-gotten gains of all the high places earth could furnish.

When Moses had reached the plains of Moab, and was near the Promised Land, he very wisely saw fit to tell the people of the principal events which had occurred during forty years' travel. Because the old generation, except Caleb and Joshua, had perished in the wilderness, and many of those whom he addressed were too young to know anything about a good part of the journey, he addresses them and reminds them of the great deliverance which had been wrought out for them, and tries to prepare them for the inheritance which is now so near them. He urges upon them the necessity of loving and serving God. He repeats the Ten Commandments and explains very fully each one. He con-

firms the whole law in the most solemn manner and commends it to them. He reminds them of the blessings which should follow its observation, and the punishment which its violation would bring upon them. He then fulfilled his mission. Then, on the very day of his death, he called the people together and delivered to them his farewell address. He reminds them that he is on this day one hundred and twenty years old, that he can no longer go out and come in, also that the Lord had said unto him, "Thou shalt not go over this Jordan." He tells them that Joshua shall go over with them. He then calls Joshua and commits the charge of the people to his care. He speaks encouragingly to him, and assures him that God will go before him, and will not forsake him. He exhorts him not to be dismayed. He then delivers the law which he had written to the priests, with a solemn charge that they should read it every seventh year before all the people. He blesses each of the tribes. Having been reminded that his days are numbered, he goes up from the plains of Moab to Mount Nebo, and viewed the whole extent of the land whose prospect had for forty years lured him on his weary footsteps through the wilderness journey.

By Nebo's lonely mountain,
  On this side Jordan's wave,
In a vale in the land of Moab
  There lies a lonely grave.
But no man dug that sepulcher,
  And no man saw it e'er;
For the angels of God upturned the sod,
  And laid the dead man there.

That was the grandest funeral
  That ever passed on earth;
But no man heard the trampling,
  Or saw the train go forth:
Noiselessly as the daylight
  Comes back when night is done,
And the crimson streak on ocean's cheek
  Grows into the great sun—

Noiselessly as the springtime
  Her crown of verdure weaves,
And all the trees on all the hills
  Open their thousand leaves;
So without sound of music,
  Or voice of them that wept,
Silently down from the mountain's crown,
  The great procession swept.

FOR GENERAL CONFERENCE IN NEW YORK CITY, MAY, 1888, ON "ELIGIBILITY OF WOMEN AS LAY DELEGATES"

I CAN scarcely hope to add anything to what has already been said on this question, but as a member of the minority of the committee to whom the subject was referred, I am squarely opposed to the resolution, the amendment, and the substitute, and desire to make my protest more emphatic than could be implied from merely voting against them.

The question we have to deal with is one of judicial construction to be determined by the law prescribing who may become a delegate to this body. That law is found in the 64th, 65th, and 66th paragraphs of the Discipline, which provide, in substance, that any layman of twenty-five years of age and of five years membership may be legally elected.

That under this law women are eligible seems evident from the following considerations:

1. It is obvious that if women are to be regarded as laymen, they come within the designation of persons here given as eligible. To say that they are not laymen is to assume one of two things; either that there are three classes, clergy, laity, *and* women, or that they are laymen for some purposes and not for others. To assume the first is to come in conflict with the prevalent understanding of the people and the apparent sense of the word "laymen." To assume the latter is to put the question on very

narrow and dangerous ground, for if by common understanding there are but two classes, they must be regarded as belonging to one of them, unless by express terms excluded. Especially is this so in a matter affecting their rights, for the primal purpose of a constitution is the conservation of rights. The language it employs is to be taken in its popular signification. "The intent to be arrived at is that of the people," says Cooley, "and it is not to be supposed that they have looked for any dark or abstruse meaning in the words employed, but, rather, that they have accepted them in the sense most obvious to the common understanding."

2. We think, therefore, that it may be safely affirmed that under the language employed prescribing the qualifications of a delegate, women are eligible. If so, we are bound by that, for it is only when the language is obscure or doubtful that we resort to contemporary usage for evidence of intent. We look outside of the language for something by which to render plain language otherwise obscure, not to render obscure language otherwise plain. "If the words embody a definite meaning which involves no absurdity between parts of the same writing, then that meaning apparent upon the face of the instrument is the one alone which we are at liberty to say was intended to be conveyed."

3. If this view as to the import of the word "laymen" be correct, it covers the whole question. I know it has been said that it is unwise to hang the whole case upon the definition of a single word, and this has been sagely illustrated by Dr. Day by ref-

erence to the changed meaning of words in King James's Version, and in the writings of Shakespeare. The answer to that criticism is that this word is the term and the only term employed by the constitution to designate the class from which lay delegates must come. It results inevitably that the right definition of that term ascertains the eligible persons. Another answer to this criticism is that the other side have made up the issue in this way. If any one advocate on the other side knows how to state the question it is Dr. Buckley. He is honest enough to state it fairly, and shrewd enough to so state it that the other side will suffer no loss by the statement. Well, his statement in the Christian Advocate of March 15, 1888, is that, assuming the women to have been of sufficient age and membership, and the election to have been regular, their eligibility depends upon whether they are laymen within the meaning of the Discipline. It has also been said that we must ascertain the intent of the lawmaker, and that intent must prevail. Nobody disputes that. But the real question at that point is, How must that intent be ascertained? We say it must be ascertained, if possible, by the language he employed to express his intent, and not by his after statement of what was then in his mind, but was not expressed in the law which he enacted. This fallacy has permeated the argument on the other side from beginning to end—that it is competent to affect the plainly expressed intent found in the law itself by the unexpressed intent alleged to have been in the mind of the lawmaker.

The mere statement of the fallacy should be a complete answer to it in any enlightened court.

4. It is, therefore, aside from the issue involved to say no harm will be done by submitting this question back to the source of power to be passed upon. For if it be true that women derive their eligibility from the same enactment which has conferred it upon men, and they claim it in no other way, then it has already been submitted and passed upon, and the suggestion is an ungracious evasion of the real question, which is not whether the right shall be granted anew, but whether it has not already been granted.

5. If, however, we go outside of the language employed to designate the persons eligible, for evidence of intent, there is found more to favor than to oppose the construction here contended for.

The General Conference of 1868 by its resolution invited women to participate in the church election by which lay delegation became an established fact. The significance of that action was that they were thereby distinctly recognized as part of the new constituency brought into existence by the radical change then made. The right to elect implies the right to representation by the elector. This basal right is distinctly recognized by the organic law as existing in women. The vital and supreme question, therefore, is as to the right of the laity to be represented by delegates of their own number, and of their own choice.

The General Conference of 1872 deliberately and emphatically resolved that: "In all matters con-

nected with election of lay delegates the word laymen must be understood to include all the members of the church who are not members of the Annual Conferences."

The significance of that action was:

1. That thereby they explicitly and unequivocally gave to the word "laymen" the meaning and import which we contend for.

2. That by express terms in that resolution they connected this definition with the election of lay delegates and applied it to that subject matter.

3. That was the first, last, and only explicit definition which this body has ever given to this term, and it comports with the popular definition and acceptation thereof.

4. The electoral Conferences had the right to assume that this body meant what it so explicitly and emphatically said, and to act on it; and they have so understood and so acted.

We therefore maintain that both by the letter and the spirit of the constitution, and by the construction which this body has authoritatively given it, the women are eligible, and should be so recognized in the important action which we are about to take.

AT GENERAL CONFERENCE, OMAHA, NEBRASKA, MAY 2, 1892, ON "SEPARATE SEATING OF LAY DELEGATES"

Mr. Chairman, Fathers, and Brethren: As a layman representing a large Conference, I deprecate the idea that has been introduced into this debate—that the resolution offered by Brother Field, of Philadelphia, carries with it the idea of antagonism of the laymen to the ministers. On the contrary, the laymen bear the most kindly greeting to the ministers. These laymen come up, most of them, from old Methodist homes, where in times past the one honored above all others was the itinerant minister. Their fondest and proudest recollections are of the honor conferred in these homes upon the minister. They are here now, as everywhere, to do him honor. But they are here also to ask of this Conference that they may be so seated that their influence is felt, and that as members of this body they may wield an influence that is efficient and intelligent in the legislation of the body. The resolution does not arise from any antagonism to the ministry. Instead of embodying any such sentiment as that, it is born of the actual experience had upon the floor of this Conference through many sessions, in which they have discovered certain inconveniences and obstructions to their efficient work arising out of the manner in which they have been seated. When one hundred and fifty to one

hundred and ninety are interspersed among three hundred, their individuality is lost; they want to know who the laymen are and they want to be able to see them at a glance. And there are two reasons I will state, without any attempt to discuss them in detail, lying behind this resolution out of the many that might be stated. First, if this resolution becomes the order of this Conference, it will be practicable for the laymen on the floor of this Conference to confer together. That has not only been impracticable but has been impossible heretofore. The great questions that come before this Conference have a fixed time and place, but it is known very well that many questions are sprung upon this Conference suddenly and without much of a chance to consider or confer together except upon the floor of the Conference. Sitting promiscuously, conferring together is not only impracticable but impossible on the short notice given at such a time. This ought to take place promptly, in order that we may be efficient and guarded in our legislation. Under the present order it frequently cannot take place at all.

Second, by being seated together, as we have been, a separate vote may be called for and in the confusion may not be secured. A separate vote is about the only thing that is left the laymen under the present legislation by which they may have an opportunity for equality, even temporarily, with the ministerial order, and they, therefore, cling to that separate vote with a tenacity that belongs to the adherence to life. I say without fear of successful

contradiction that the separate vote heretofore has been so encumbered and obstructed that in many instances where it was desired that a separate vote be taken it could not be secured, and we have felt afterward that it was wrong to the constituency which we represented, that it was not taken only because of the confusion and difficulty necessary under the present order to take it, and for that reason also this resolution ought to become the order of the Conference. A separate vote will not be asked, ought not to be asked, upon every possible question; many questions are merely routine, but there are important questions on which a separate vote should be taken. There ought to be such an arrangement that laymen could ask for the separate vote, and when asked for, that it could be taken without embarrassment or difficulty. In reply to the statement of the distinguished brother from Kentucky[1] that the laymen are not united for this resolution, I desire to say they are so far united that on Saturday night, when we met to consider this question at the First Church, the vote for this resolution was three to one that it should be brought before this Conference. That is about as near unity as you get in any body of men. There were many things that the laymen asked for in addition to this that they feel they ought to have, but they now desire that this Conference extend to them this single privilege. It does not carry the idea of separate houses; it does not carry the idea of equal representation, and it ought not to be loaded down

[1] Amos Shinkle.

by any references to these questions. The simple request in the proposition is that we be permitted to sit together on the floor of this Conference. Certainly it is a modest and simple proposition. It does not involve a change of the restrictive rules or any other rules, and can be easily changed if found to be productive of evil. From the fact that the laymen have been clamoring for a larger representation, for equality, and that this has been denied, surely this one step in that direction should be by unanimous vote adopted. The adoption of this resolution by the laymen is, in view of the harmless character of the resolution, in itself a strong reason why the measure ought to pass here. There ought to be no hesitation about it. If it is a modest request, as has been stated, and almost unanimously asked by the laymen, it would seem to be ungracious on the part of the ministerial brethren not to grant it unanimously. I therefore feel that this amendment ought to be adopted and become the order of this Conference.

AT GENERAL CONFERENCE, OMAHA, NEBRASKA, MAY 12, 1892, ON "ELIGIBILITY OF WOMEN AS LAY DELEGATES"

Mr. Chairman, Fathers, and Brethren: The report of the Constitutional Committee embraces as a part of the constitution both the grant of the right of lay delegation, and the method or plan by which that right is to be made effectual. The pending substitute of Dr. Goucher proposes, in substance, to strike out from the report as not being a part of the constitution, those sections and parts of sections which embrace merely the plan of lay delegation.

The view I have of this question, and I think a majority of the laymen to whom it has a personal interest are with me in that view, may be stated in a single sentence, and that is this: the grant of the right of laymen to sit in this body is and ought to be a part of the constitution, but the method or means whereby that right is to be carried into effect is not and ought not to be a part of the constitution, but the subject of legislative enactment.

That view is based upon the facts as they exist, and the law applicable to them. The facts are that the question sent down by the General Conference of 1868, and voted upon by the Annual Conferences, was the right of laymen to sit in this body. The method or plan was not sent down or voted upon. The General Conference of 1872 ratified and ap-

proved the action of the Annual Conferences, and embodied that right of lay delegation in the constitution. There it will stay until the same authoritative power which put it there takes it out. I do not, therefore, share in the anxious solicitude exhibited by some of the ministerial brethren. They say if we do not put the plan in the constitution, we are in danger. We beg of them to dismiss their fears. We are here to stay. If there is anything they can count on with reasonable certainty, it is that we remain with them. But if we are in danger, what becomes of you? You are here by the same paragraph of the Discipline—the 55th—that we are. From 1872 no authority, legal or illegal, has existed for a General Conference except one composed of both ministerial and lay delegates. No other kind of General Conference has been held. Moreover, other people are interested in us. No election has been held which does not depend upon the validity of the laymen's votes, and nobody here has title to office which goes back of that date. Therefore, I think we all stand together. Verily, "we be brethren."

The General Conference of 1872, however, went farther and formulated a plan of lay delegation. That was not a part of the constitution, for two reasons: it had not the preceding action of the Annual Conference requisite to a constitutional enactment, and it had not this because it related wholly to a mode or manner by which the right was to be exercised and not to the existence of the right, and, therefore, in its nature it was not essentially

the subject of constitutional, but only legislative enactment. This view is sustained by the very highest authority. Judge Cooley, whose name either East or West is sufficient guarantee for the soundness of his conclusions, in his great work on Constitutional Limitations, page 100, says: "A constitutional provision may be said to be self-executing if it supplies a sufficient rule by means of which the right given may be enjoyed or protected, or the duty imposed may be enforced, and it is not self-executing when it merely indicates principles without laying down rules by means of which those principles may be given the force of law."

Again, it is said by the Supreme Court of Mississippi, in the case of Brien vs. Williamson, reported in 8 Miss. Reports, page 14: "Any constitutional provision is self-executing to this extent, that everything done in violation of it is void."

What was voted on by the Annual Conferences was the principle of lay delegation without the rules and regulations whereby that principle was to be carried into successful operation. That must have been supplied, and was supplied by legislation. The case is analagous to a grant by constitutional enactment of the right of suffrage to a new class of persons, followed by legislation prescribing the time, place, and manner for the exercise of that right.

The authorities cited, and many others that might be cited, recognize the distinction we here make between the grant of a right and the provision which prescribes the mode in which that right is to be

exercised. The one is constitution, the other legislation. The reason for this distinction is found in the propriety of placing the right, which is fundamental, in a constitution where it cannot easily be changed or taken away, and of placing the mode or manner of exercise, which is not fundamental, in a statute where it can, without undue delay, be changed to suit changing conditions. As applied to the question before us, this obvious reason illustrates the error of attempting to lock up all machinery of lay delegation where no change can be made without four years' time and cumbrous methods of Annual Conference action.

With passing years and the marvelous growth of the church and the world about it comes the necessity for many adjustments. This is vividly and sometimes painfully shown by the magnitude of the work crowded upon our committees. If so much change is needed in every other part of our church system, why none in that part relating to lay delegation? It is not to be tolerated that this plan alone, formulated twenty years ago, has so met every demand that it is incapable of improvement? No, this cannot be. With the increasing interest exhibited by laymen, there must be wider opportunity given them to pay and to work for the church. We have recognized this necessity for adjustment, in the action taken on the first day of the session. It has worked well. Other changes are to come in the future. Let the plan, therefore, be flexible. Not that ruthless and reckless hands may distort or destroy it, but that with tender touch and

with ever-expanded heart we may so increase its gauge as to put it in harmony with other parts of our great system, and thereby better qualify the church for that grander battle and more victorious conquest which lie in the path of her immediate future. I, therefore, favor the substitute.

ADDRESS DELIVERED IN LINCOLN, NEBRASKA, AT THE RECEPTION TENDERED THE GENERAL CONFERENCE, MAY 14, 1892, BY THAT CITY

Governor Boyd, Mayor Weir, and Men and Women of Lincoln: The promptness and unanimity with which we accepted your invitation evinces our appreciation of your kindness. We have learned many good things of your people. We are assured that though clouds obscure the kindly heat and light of the sun, you are all sunshine within. We have also learned that you have that brighter light which comes of advanced educational facilities. This is evidenced by your schools and your great university, of which we have heard so much, and by the qualities of the men you have furnished us, of whom your distinguished chancellor[1] is such a fine specimen. There is always something in a name, and the name of this, your capital city, is suggestive of grateful recollections. It reminds us that in a time of grave national peril we looked to the West for help. There came out of the West a man of bronzed visage and stalwart form who, under the most crucial circumstances, developed into the broadest statesman and noblest man to be found in the modern history of this or any other country.

There was a purpose in the selection of your chief city as the seat of our great Conference in

[1] Chancellor McDowell, now Bishop.

this, its centennial year. We felt that we could be helpful to you, and that you could be helpful to us. That we would bring closer to you the spirit of our great benefactions and charities—influences designed to uplift all men into a brighter light and a better hope. That we could bring closer to you our zeal for the preservation of our American Sabbath, the rest and refuge of our fathers. That we could bring closer to you our protest and our work against the liquor traffic and the license system, both of which alike have done so much, West as well as East, to retard progress and blight prosperity. We also felt that our activities might be energized, our zeal quickened, and our vision broadened by the push and pluck and public spirit exhibited everywhere in the West, and nowhere more conspicuously exemplified than in the improvements, both public and private, in this, your own state, and in these, your own cities.

This is an intensely practical age. To adapt the machinery of our church government and the composition of our chief body to this phase of our modern life, as you are no doubt aware, a radical change has been effected in our recent history, whereby a new class of persons has been admitted to this, our supreme legislative body. We are no longer all preachers. This appears not only from the color of our "neckwear," but also by the character of our ideas, as you will have discovered if you have followed our debates.

This change, permit me to say, has resulted profitably. A marked feature, and a most hopeful

sign in the life of our church today, is the increased interest exhibited by laymen in the work of the church. The personnel of our assembly is illustrative of this fact. Here we are: Senators, Congressmen, statesmen, a few politicians—in the better sense, of course—with others from every active pursuit and calling in life. The anxious cares and pressing duties of our home life are left behind. We have here all the elements of government and empire, for the time being, thrown into the channels of the church's highest activities, that her work may be best adapted to the ever-changing conditions of a rapidly advancing civilization. These joined hand to hand and heart to heart with those who are specially commissioned by the Master for his great work, may we not hope that our church will be lifted up to that higher plane where she will sweep onward to the wider conquests and more enduring victories which the oncoming century will bring to her.

Again allow me to assure you of our full appreciation of your good will, and to express the hope that our brief stay with you may be mutually pleasant and profitable.

AT GENERAL CONFERENCE, OMAHA, NEBRASKA, MAY 16, 1892, ON "CALL OF VOTE BY ORDERS" BY ONE THIRD OF THOSE PRESENT AND VOTING INSTEAD OF ONE THIRD OF WHOLE NUMBER

MR. CHAIRMAN AND BRETHREN: I shall vote in favor of the substitute. I believe, in the first place, that this is the fair construction to be given to the rule. In the second place, I believe that the discussions which have borne against that construction of the rule have been based upon a misapprehension of the whole system of separate voting. It has been alleged in the discussion bearing upon that rule, and upon the system of separate voting, that it is unfair that a small minority should control the action of the whole house. The point we make is that the whole system of separate voting proceeds upon the ground that a small minority for a particular purpose at a special time should control the action of the whole house. Like all other rules for the protection of the minority, it is unfair if applied generally to the legislation of the house. And the discussions that have taken place upon what is alleged to be the unfairness of that system ignore the fact that that rule obtains only for a particular purpose and at a special time. It is an instance where a large concession is made to the minority for the purpose of protecting their rights, and is a compensation for the disadvantages under which they

continually suffer. It is, therefore, unfair to test the fairness of this rule by tests that put it upon the same ground as any other. We say it is fair that a small minority of the whole house should control the action of the house by compelling a separate vote; and that for the reason that that whole system is for the protection of the minority. If applied to all proceedings, it would be unfair, but inasmuch as it is simply a concession to the minority for the disadvantages they continually suffer, and is a means of protecting them against what would otherwise be wrongs perpetrated upon them by the majority, it is evidently fair. We respectfully submit, therefore, that the proper construction, and the construction necessary to protect the rights of the minority, is that one third of those present and voting have the right to make this demand. Otherwise we do not know where we may land. There may not be the whole number of delegates present; there may be a considerable number away; nevertheless, there should be such a system as will protect the rights of those who are here. We therefore ask that the substitute be recognized and adopted as the rule of the house.

AT GENERAL CONFERENCE, OMAHA, NEBRASKA, MAY 24, 1892, ON "THE CONSTITUTION OF EPWORTH LEAGUE"

Mr. Chairman: I shall most strenuously oppose the resolution to strike out this provision in the third article. That was inserted after more than a week's contest and it was submitted to by the majority of the committee, who at first opposed it, for the reason that they knew that there would be a minority report if that provision was not put in the third article. It was put in the third article in the first place because it was a proper provision. The contest in the committee was this: One branch of the committee alleged that it was an Epworth League committee; no right of any other society was to be regarded except the Epworth League. The position taken by myself and other members of the committee was that the Epworth League having come to this Conference and asked that it be permitted to sustain a certain relation to the Conference and to the church, the church as a body sent out this committee, of which myself and other persons were members, to inquire judicially whether that Epworth League Society which asked to sustain that relation should be permitted in view of all the interests of the church to sustain the relation, and that, therefore, instead of it being only a committee to look after the interests of the Epworth League, it was a committee to inquire between the

Epworth League and the church as a whole, including other young people's societies, whether the relation which it asked for should be granted. That was the position taken, and the result of that view was this proposed amendment. For that reason we say that the amendment was a proper one, and as to the place where it was inserted we allege, in the second place, that that was the proper place because that third article is the article that defines the relation of this society to other societies, and if that amendment is to be inserted anywhere, the place it now has is the proper place. And I submit it would be most unfair and ungracious for the majority of the committee, knowing that there would be a minority report, to come together and make that concession and thereby prevent a minority report—the members when they came together accepting that amendment after a contest of more than a week, as every member of the committee knows, and then permit it to be stricken out.

J. F. Berry: I rise to a queston of privilege. If Brother Murray intends to insinuate that there is any understanding on the part of the committee as such making concessions to approve of this amendment, I wish to say that he is entirely mistaken; such is not the case.

T. H. Murray: I say that is neither a question of privilege nor a point of order, and the gentleman has no right to interject his speech in that way.

The Bishop: Dr. Berry states that he is misrepresented and he asks as a question of privilege to correct it.

T. H. Murray: I did not refer to Dr. Berry in any way and do not desire to refer to him. I referred to the committee as a whole. Dr. Berry was not referred to in my speech.

Dr. Berry: I represent the committee, and I claim that by the words of Brother Murray the committee was misrepresented and I rose as a question of privilege to correct that.

T. H. Murray: I assert that it was not a misrepresentation, and I appeal to Dr. Hurlbut, who went before the committee to represent the Epworth League, and who first came to me and stated that he believed that the amendment I proposed should be adopted, and that that action was taken more than a week after the fight had commenced, and after it had been ascertained by Dr. Hurlbut, as he himself would state, that there would be a minority report. That concession was made when the two factions of the committee came together and they agreed upon that amendment, and that went into the third article, and but for that concession there would have been a minority report here, not only on that branch of the action of the committee but on the question of a general secretary and other items in their action which have been the subject of contest here. That was the action and it was notorious. Here is Mr. De Motte, who sits beside me, who knows that that concession was made after a week of contest, no matter what Dr. Berry may state. The motion to strike out should not be sustained.

AT GENERAL CONFERENCE, OMAHA, NEBRASKA, MAY 25, 1892, ON THE "TIME LIMIT"

Mr. Chairman, Fathers, and Brethren: I am opposed to the majority report because it lays the ax to the root of the oldest and most characteristic feature of Methodism. It is, in my judgment, a feature to which our great church owes more of its growth and prosperity than to any other. If there is any one respect in which Methodism has been able to distance all competitors in the race for souls, it has been in its capacity for duplicating forces and results. It has never possessed this power except through an itinerant ministry. It has never had any itinerancy without a time limit. An itinerancy without a time limit is a thing "of which dreams are made." It has never had an actuality or existence in our history. To destroy the time limit is to destroy the itinerancy.

The change proposed, therefore, is not a mere modification of something which we have always regarded and treated as something essentially fundamental in our system, but it is a taking of that thing clear out of our system. There has never been even a modification of this feature which has not produced distrust and disturbance at some point in our wide territory. When the wide and unwarranted adjustment was made at New York only four years ago, the church in many places awoke

from the operation as from a nightmare. The country church, where reside the bone and brawn, the blood and sinew, of Methodism, was astonished at what had been done and how quickly it had been done. The wonder was how long till further adjustment would be asked for and what the outcome would be. That was May 22, 1888.

That condition of unrest and dissatisfaction then produced is now met by an attempt at this, the earliest opportunity, to uproot and destroy what was then only modified. This attempt is made by those who then assured us that ultimate destruction of this old landmark was not contemplated and was not a probable result of the action then taken. Dr. Arthur Edwards—and there is none here for whose intelligence and honesty of purpose I have higher regard—then said: "If you extend from three to five there will be more removals than we have ever had. But the gilt-edge men will stay five years, and at the end of five they will thank God that there is a piece of machinery that will change them by system rather than by earthquakes or cyclones, as in other churches." But now he is prepared to take out this piece of machinery, and cut down this "system," and thereby make way for the earthquake and the cyclone. If he is ready for that, I am not; and the church is not ready. The church then did not ask for that change. Still less does she now ask for this change. Bishop Joyce, then secretary of the Committee on Itinerancy, said: "Those petitions coming to us from churches are from city churches. Those from Quarterly Con-

ferences are from the same churches, and are confined to five Annual Conferences. There are one hundred and eleven Conferences in the connection, and only five ask for any change." Who ask for the change now? Where are the memorials and who are they from? Well, it is said a majority of the ministers ask for it. Even if a majority of those here ask for it (which is not the case), still, there are others whose interests are involved who ought to be consulted and heard from.

If it be true, as is alleged, that our cities demand a change, let that change be one which helps the city and does not hurt the country. Apply the remedy to the diseased part, and not to the whole body. Let there not be in the church that legislation of which there is so much in the state—that helps the favored few while bearing harshly on the unfortunate many. If our past history proves anything, it is that our system is capable of adaptation to varying conditions. We have not hesitated to modify it in time past. We are only four years distant from a change so marked as to nearly double the time previously covered by the limit. We are not yet done explaining to our constituents why that change was made. Shall we then venture upon another, compared to which that was but a trifle? I know there is trouble in the cities. That trouble is a spirit of worldliness and exclusiveness engendered by the luxury and fashion of city life. I am far from being persuaded that it is caused by the time limit, or will be remedied by its removal. From its nature it will not be improved but made

worse by a settled pastorate. It is not the length of the pastorate but the character of it that will correct that trouble.

The truth is, brethren, we have an important piece of business on hand. A more radical change has not been proposed in our whole history than that urged by this majority report. Let us, then, move slowly. Some of us are too fond of experimenting. Do one of three things: produce a remedy which covers no more than the affected part, or send down the question to the source of power, as proposed by Dr. Gray's substitute, or wait until the source of power sends up to us a demand for the proposed change so general and universal that there can be no mistake in its meaning. Till then let us stay our hand from striking down a piece of mechanism so well constructed by our fathers that with it we have plowed up a furrow in the Master's vineyard which no other church can match. With it we have so widened our borders and so enlarged our opportunities that we now stand in the van of all the churches. If we do this, we will give to our constituents and to posterity that highest proof of wisdom and discretion, that we have temperately used the unlimited power conferred upon us.

BEFORE PHILADELPHIA M. E. CONFERENCE, AT NORRISTOWN, PENNSYLVANIA, MARCH 7, 1893, "THE ITINERANT FEATURE OF METHODISM"

THE idea of itinerancy as applied to preaching has its root in the commission given by the Great Master to his apostles, "Go ye into all the world and preach the gospel to every creature." Before that the church had locality, environment, habitation. Then the twelve had been commanded, "Go not into the way of the Gentiles, nor into any city of the Samaritans," but into one kind of place, and to one kind of people—"the lost sheep of the house of Israel." But now, after the resurrection, in the full dawn of a better dispensation, the direction is "into all the world," and unto "every people." Not only by precept but also by example is this method enforced. Chief among these examples is that of Christ himself, for "he went about doing good." Philip, the evangelist, in the midst of a revival at Samaria, received an appointment or a call to go elsewhere. When he got there he found that he had for a church and parsonage the desert, for a congregation a single individual, and that one an itinerating African. Instead of finding Peter at the head of the church at Jerusalem, for which place he seemed naturally qualified by his bold advocacy of the gospel and his heroic defense of its adherents, that position was filled by James, the brother of

Christ, and Peter lived the life of an itinerant as he went up and down through Judea, Samaria, Galilee, and Phœnice. Paul, from the time of his conversion to the time of his death, was preëminently a traveling preacher. So essentially was he an itinerant, that when in bonds and prison he still, by his faithful messengers and his letters, kept himself in touch with all the Gentile churches throughout the Roman empire. These examples show that the principle of itinerancy was inherent and essential in the life and labor of the men who first awoke the world to a consciousness of the power of the gospel, and started out the church on its marvelous mission of mercy and salvation and immortal life. It may be fairly said of the Methodist Episcopal Church that it has done more to push out its conquests into the frontiers of civilization, and to plant its banners upon new soil, and to bring within the circle of its gracious influence all classes and conditions and races of men, than any other church. That the itinerant system has been a large factor in this wonderful growth cannot be denied. This system has grown up almost imperceptibly as a part of our economy. It affects all orders of the ministry, the pastors, presiding elders, and bishops. Yes, even our chief pastors feel the shock often enough and strongly enough to put them in close sympathy with the humblest pastor. Affecting those who make the appointments as well as those who are appointed there is less danger that changes will be inconsiderately made. From the first the term has been limited by the lawmaking body of the church.

Since 1804 as to pastors, and since 1792 as to presiding elders, from 1804 to 1864, a period of sixty years, the pastoral term was two years. From 1864 to 1888, a period of twenty-four years, the term was three years, and since then five years. These figures are suggestive. This provision limiting the term and known as the time limit, is the only legal provision by which the itinerancy is retained as a part of our economy. This regulation of the term by a fixed rule operating upon all alike may, therefore, be properly regarded as a part of the itinerant system and necessary to its existence and continuance. The itinerancy and the time limit go together; if we take away one, we destroy the other. The question of the removal of the time limit, therefore, turns upon the other question of the propriety of abolishing the only provision of our Discipline which retains by law, or assumes to retain by law, the itinerancy as a part of Methodism. That there are localities calling for special provision is probably true; but the exceptional character of these cases is an argument against rather than in favor of a radical change affecting the whole work everywhere. This itinerant system has advantages to both pastors and people. It gives the people a diversity of gifts and graces in the pulpit which they could never get in a settled pastorate. The people of no other church have opportunity to receive "the word of life from so many fountains of mind and heart, of thought and spirit." There are few men, indeed, who, in a settled pastorate, do not develop weaknesses which are not

helpful to their people or their work. Often these infirmities only become apparent after a considerable time. Frequently they are the outgrowth of lack of fitness for that special work or charge and would not appear elsewhere at all. Then at best, from the nature of the case, most preachers have a given line, or direction, or trend in which their best energies are expended. Their work can only be completed and rounded out by others. One is a great Sunday school worker; another makes the prayer meeting a specialty; another subordinates everything here and hereafter to the collections; another makes the preaching of Christ and him crucified his great work. Under the itinerant system a given church has opportunity for the rounded-out result which can only come from the supplemented labors of these several workers, as in the case of Barnabas and Saul at Antioch, Peter and John laboring with Philip at Samaria. In fact, the necessity seems to grow out of the very limitations which are inherent in all human agencies.

Another advantage of the itinerancy to the people is that it maintains the connectional feature so important in all of our work. While our church is divided, for purposes of administration, into charges, and circuits, and appointments, it is not thereby intended that each shall be regarded merely as a separate congregation or community, working in its own way, but that each one is a connected part of a great church, working in harmony with all the other parts. Where this principle is lost sight of, as it already appears to be in much of our

educational work and in other directions, a loss ensues which could be and ought to be avoided. The tendency of a settled pastorate is toward isolation of the local church. The people know less of the work elsewhere, and less of the method by which that work is done than under the itinerant system which periodically furnishes them approved representatives of the work at other places. Here and there over our territory some pastor projects a new feature of Sunday school work, or Epworth League work, or revival work, it may be. It proves to be a great success. Under the itinerant system not only the knowledge of that new plan, but also the author of it comes to other congregations with whatever of benefit and blessing to accrue from its practical operation in their midst and under his direction. Nothing is more inspiring and expanding to the local church than a wider vision of the great church of which it forms a part. It is when we see the great achievements of our church, not only as they stand along the path of her wonderful history, but also as they are worked out year by year and day by day in the living present, that we get an inspiration for better work and better living. All that is contended for at this point is that the effect of the itinerant system is to bring our people into closer range with the general work of the church, and into a fuller view of the inspiring results which have come from that work.

Another advantage to the people is that the danger of relying upon one man for all church growth is lessened. The great problem in church

work today is not so much how to secure more activity from the pastor but from the laymen. If the continual service of one pastor becomes a necessity to a given church, that very fact may be an indication that there is something wrong with that church. In a large mercantile establishment the efficiency of a clerk was recognized by frequent advances of salary, until the clerk as well as the establishment had begun to look upon him as a necessity. At this particular juncture he was sent for by the proprietor who informed him that he was discharged for the reason that the time was rapidly approaching when he would become wholly indispensable, and that it was considered safer to get along without him before that helpless condition was reached. We are constantly reminded by the example and teachings of Christ of the dangers of a temporal kingdom—the obscure life of the men he called to the ministry, the constant rebuke of all who desired prominence at his hands or in his church, his repeated warnings of the danger of popularity. All these present to us the one lesson that the work is done "Not by might, nor by power, but by my spirit, saith the Lord of hosts." The principal element in the advancement of any church is divine power. There is always a tendency to forget and ignore this vital fact, and to rely too much upon other agencies. A system which accustoms people to regard all human agents as agents, and not as principals, aids in correcting this tendency and is healthful in its influence. There is such a thing as a congregation not being the most

competent judge of what particular pastor will best serve their highest interests. This inability to judge rightly in this regard arises sometimes from the tendency to promote other than the highest interests. A change may be vitally essential just when it is regarded as least desirable. How often an appointment which was entirely in accord with the desire of the congregation has proven least valuable in substantial work! How often another appointment which was scarcely tolerable to the congregation has proven most valuable in practical results. These instances have been quite frequent enough to illustrate the folly of assuming that the one man of our choice can alone faithfully and efficiently serve our congregation. But if this be a folly when we consider only the welfare of our one church, how much greater folly it appears when it is remembered that not merely the interest of one church but of many is involved in a single appointment.

So much for the advantages which the itinerancy brings to the people themselves. Let us note some of the benefits which it confers upon the preacher. That it has apparent disadvantages and trials to him no one will deny. Chief among these are the very uncertainty of where he will be and what his surroundings in the future years. But close reflection will remind us that we are all victims of this same kind of uncertainty. His frequent removals, often at unseasonable times, are reminders to him that we have "here no abiding place," "no continuing city." Strange as it may seem, I would reckon these apparent disadvantages among the

benefits which the itinerancy brings to the pastor. We are apt to assume that the heroic age of the church was in the first century, that in the days of martyrdom the real test of character existed. I think it is an open question whether it does not require just as much courage and heroism in the pulpit today as it did in the first century. With all the luxury of living, and the attractions of society and the conformity in the church, as well as out of it, to the behests of fashion, there often seems to be either more difficulty in finding the path of duty, or less use of the light which illuminates and points it out in this nineteenth century, than in some of the earlier centuries. In view of this condition, the highest efficiency in the pulpit is not a result nor a concomitant of favorable surroundings. It is not only not dependent upon these but their effect is often inimical to spiritual growth and power. Not only in the Bible period but also in this period the great men of God were great because of their work, and not because of favorable circumstances. Whatever tends to take away from a preacher the distinctiveness of his calling, and to engross him with the attractions of this life, correspondingly weakens him in his special work. Anything is good or bad to him just in proportion as it does or does not develop and qualify him for that work. In so far as it qualifies him for or conforms him to that which is outside of his work it is more harmful than helpful. If we have any Methodist preachers who have grown strong spiritually with added worldly goods they are so scarce as to be hard to find.

These apparent disadvantages, therefore, only appear to be such because of the point of view. When considered in the light of the ordinary effect of temporal prosperity and advantage to dwarf and blight spiritual power they are to be regarded as blessings in disguise.

Another advantage of the itinerancy to the preacher is that it gives him a wider influence. In what other calling can a man of equal ability come in close contact with the best people of so many different communities, and have opportunity to so touch their life and soul as to make his influence upon them eternal? The effect of change of location and contact with varied classes of people is to dissipate his prejudice, enlarge his sympathies, and make him a broader and better worker. No other class of preachers have opportunity to know so much of human nature. That this kind of knowledge is valuable in the pulpit no one will deny. The successful preacher today is not so much a great theologian as one who has a masterful knowledge of the springs of human action, and capacity to reach the hearts of men. Nowhere is tact more essential than in the pulpit. How often an unguarded word or act neutralizes the effect of a good sermon. How much there is in the way a well-meaning thing is said or done! To know when to speak to the business man on the great subject of his soul's salvation, to know when and how to specially present the claims of the church to a community, to know when and how to expose and rebuke the popular and prevailing evils of the day,

to know how to get along with the choir and help one portion of the choir to get along amicably and peaceably with the balance of it—all these require something more than good intentions and an honest purpose to do good. They require tact—capacity to say the right thing at the right time and in the right way. These qualities find illustration in many of our preachers. Think of the revival work done by our young men of moderate intellectual ability. In how many instances have a whole community of thoughtful men and women been stirred to the profoundest depths and started out upon a new life by the word of God as preached by them. Bishop Thompson was noted for his learning and deep piety. He presided at the first Annual Conference I ever attended. In his address to the class of young men about to enter the ministry he called attention to the discouragements they would encounter in their respective fields, but said he desired to impress upon them assurance that if they wholly and diligently applied themselves to their work, there was not one of them but that could become a great man in his work. I doubted the accuracy of his statement then, but I have seen such marked instances of the power of a consecrated life since, and nowhere else more than among the young men of our own ministry, that I no longer have such doubt.

Another advantage to the preacher is that the itinerancy develops his business capacity. The change from place to place familiarizes him with different methods of conducting the different de-

partments of church work, and enables him to make valuable comparisons of the results of each. A great deal of business capacity is required of him. The finances of the church must be looked after. The building of church and parsonage often hang heavily on his hands. In fact, he is frequently the committee of ways and means. The revenue bills often originate with him, or they would not originate at all. What remarkable success is exhibited in these directions! Think of a preacher, with a salary of less than $1,000, and with less than $100 in the world above his obligations, starting out to build a $10,000 or $15,000 church! He selects the site and induces somebody to give it or pay for it. Then uses this as a lever upon his hard-fisted and hard-hearted membership to get them to indorse the enterprise, he agreeing to secure a liberal subscription to start with from somebody clear outside. Then he works and prays and waits until he secures enough to justify starting the work. Then he induces the architect to contribute the plan, probably on the plea that it will be a great advertisement to him—which it rarely is. For now he must get his official board and membership, each one of whom has a plan of his own, to agree. This is not often done until all the details are discussed and many concessions and changes made. After much anxiety and solicitude the work is done and dedication day comes. The preparation for that day's work is greater than the day itself. For if there be not careful and tactful preparation, the principal object of the day will fail. Usually, however, it

proves a great success. Now, the man who conducts an enterprise of this kind, with even moderate success, proves himself to be a man of more than ordinary business capacity. If he have had no experience of the kind before, he will find in it more opportunity for experience and for study of human nature than any business college or business establishment can furnish him with years of training.

Another advantage to the preacher is that the varied experiences of the itinerancy furnish him a broader basis for his faith. The existence and promotion of faith as a molding influence upon life is largely dependent upon external forces and influences calling it forth. It has never had conspicuous exemplification except in time of trial and under circumstances which seemed to be adverse. As already indicated, the very embarrassments which the itinerancy brings him are suggestions of the importance of faith as a great factor in his life-work. That he is nowhere here making a place or possession for himself is suggestive of the greatness of his work and mission over any mere locality. His business is to evangelize the world, as much of it as he can, and wherever he can, subject to the direction of those whose responsible duty it is to judge of his work, and of his fitness for work. His entry upon fields that are new to him and sowing seed upon ground that he is unaccustomed to, call for the exercise of a firmer faith on the divine promise of fruit. As the network of his ministrations widens out with the unfolding years, there comes to him enlarged appreciation of opportunity

and possibility for good. As he goes from place to place, and from one people to another, he finds the supreme want of humanity to be everywhere the same, however varying its manifestations, and that that want is met and supplied only by the redemption which it is his exalted mission to proclaim. The adaptation of the gospel of Christ to all classes and races of men becomes to him a matter of observation, an actuality. With ripening experience he learns that all obstacles are local or temporary, while that which opposes and destroys them is of God, and, therefore, universal and eternal. Training in the pulpit is found largely in books, and books are greatly helpful to the preacher. But the preaching which takes hold of men and brings them to Christ is found not so much in books as in human experience. It is in the living preacher, made and kept alive by communion with Christ upon one side, and in contact with men on the other. He is qualified to preach by constant application of divine truth to the varying conditions of humanity.

Our church organization is a large and comprehensive piece of machinery. In its construction and its peculiar work it is so much of an entirety that we are not qualified to ascertain how much of its great result is due to any one of the essential parts of which it is made up. For the same reason, and to the same extent, we are disqualified from determining how much of disaster the removal or destruction of any such part may occasion. We know much better what the church has been with the itinerancy than what it would have been without it.

That it could have accomplished more in certain directions and localities is probable. That it could have done its whole work as well is more than doubtful. Without this feature, the peculiar work of the church could not have been done. The rapid conquest of new territory, the prompt supply of suitable and aggressive workers for that territory, the relief provided for, the embarrassment constantly arising from lack of adaptation of the worker to the work, the rapidly increasing interest of new converts and new churches in the work of the church at large, the willingness of the local church to practice sacrifice and self-denial temporarily for the benefit of the general church permanently—these are some of the achievements of Methodism which are the outgrowth of the itinerancy. Are they not worth preserving and continuing? This system has been a part of our economy in all the past, during all the trials and triumphs of the church, from the time when we were "a few and feeble folk" down to a time when, under the providence of God, we have attained a growth in numbers and in resources that the fathers never dreamed of; from a time when our services in cities were in sail lofts, and in the country in barns, to a time when in both city and country we worship in temples which are an honor to God and his people; from a time when, from necessity, many of our preachers were without education to a time when there is neither room nor necessity for an uneducated minister.

The need of the church today is not so much

equipment as endowment, not so much more machinery as more power. There is in the church as well as in the state a tendency to answer every complaint by new legislation or by new modification of existing legislation. It is the part of wisdom to recognize the truth that everywhere, in church as well as in state, there are evils which were not brought into existence by legislation, and which cannot be removed by legislation. If we are to hold the large place among the other denominations which God has given us, we must realize that in the future, as in the past, our work must continue to be a special work, and the means used to have adaptation to that work, must be special in their character. If we do this, we will also discover that among the human agencies for the advancement of this work there will be none so efficient, none so powerful, none so honored of God and men as an intelligent and consecrated itinerancy.

AT INTERNATIONAL EPWORTH LEAGUE CONVENTION, IN MUSIC HALL, CLEVELAND, OHIO, JULY 1, 1893, ON "RELATION OF YOUNG PEOPLE TO TEMPERANCE WORK"

THERE have been two methods of temperance work in this country. One has sought to reform the drunkard, and to induce those who have not yet become such to avoid the evil habit. The other has addressed itself principally, if not entirely, to the destruction of the saloon. A great deal of discussion has ensued as to the more efficient of these two methods of temperance work. This discussion has often run wide of the mark by overlooking the fact that each method relates to a different part of the same great work. The former has to do with the reformation of the individual, the latter with the removal of a dangerous and destructive institution. The result has been that the people who are really for temperance are not, by any means, at harmony in their notion as to how the desired end is to be attained. This lack of united thought and action among those who desire and work for the same common object is the most deplorable fact in the present situation of the temperance work. It may be safely stated, that neither one of the two methods of work referred to can rightfully claim to be the exclusive remedy and to embrace all that is necessary to rid the country of the great evil. However

desirable a plan or method of work may appear, when considered in the abstract it cannot rightly be insisted upon as the plan most likely to succeed, much less as the only plan, if, after a long period of time, it fails to secure the coöperation of the friends of the cause which it seeks to promote.

United action of temperance workers is a primary condition of success. It has been demonstrated by actual and repeated experiment that this condition with respect to the saloon does exist in some portions of our country, and in others that it does not. The real question in any given state or locality is not whether destruction of the saloon is a desirable thing—all may agree upon that—but whether it is such a possible thing there as that work for that purpose exclusively can secure such united action of the friends of temperance as to furnish promise of success. If not, it does not follow that nothing helpful to the cause can be done. Much may be accomplished as a basis for future work, where prohibition now is so nearly impossible as to render a present attempt of doubtful propriety or wisdom. That more flexibility in the application of these respective plans to sections of the country where one method is practicable and the other not would lead to more harmonious and efficient work is probable. At least, a more prompt recognition of the varied conditions which characterize the people of different places would seem to be required by the fact that these conditions are often so much the outgrowth of early traditions and modes of thought and fixed notions of life as to render any radical

change wholly impossible except by gradual and progressive steps leading up, slowly it may be, to the ultimate object so much desired by all. A willingness, freely expressed, to adopt any method leading in the direction of final results, though it be by slow processes, would have the great merit of securing what is just now more desirable than anything else which is certainly attainable, and that is the union of forces. The solution of the difficulty which the present situation discloses lies in a willingness to recognize the importance of keeping together—a purpose to go as far in the direction of what is wanted as the combined force of temperance workers can be induced to go. That is statesmanship. That is the only kind of work which reaches practical results. That kind of purpose would eventually crystalize into helpful and efficient legislation. It has been so with every other great reform. Slavery, so often referred to as an illustration, could not be destroyed at a single blow, nor by a single method. When destroyed the death blow was dealt out by those who, in the earlier stages of the work, had been charged with lack of fidelity, because they were only willing to move, step by step, with the greater force who, in the end, were found sufficient to destroy the evil.

In this reform, as in every other, the young people are now a much larger factor than they were formerly. There are reasons why there is hope for more harmonious action among them than among the generation just in advance of them: their freedom from party affiliation, their freedom from

business relations which might warp their judgment, their freedom from the domination of favorite theories which are often not less paralyzing in their effect, their larger capacity for being united by the power of association. All these seem to better qualify them for united action. Much has been done to widen their opportunity and enlarge their responsibility. The states, at least some of them, have added to the course of free school study, special instruction as to the effect of alcohol upon the physical nature. This work has been supplemented and fortified by a consensus of the opinions of eminent scientists upon both continents to the effect that alcohol is neither a food nor a medicine, but a poison. Political economists, statisticians, and courts have united in an array of facts and figures which are wholly unanswered and unanswerable, attesting that intemperance is the most fruitful and prolific source of poverty and crime. The church has finally and authoritatively declared that "the liquor traffic is so pernicious in all its bearings that the only proper attitude toward it of Christianity is that of relentless hostility. That license high or low is vicious in principle and powerless as a remedy." All this they have to start with, more than the generation preceding them had. There is no other field which promises so rich a harvest for the cause of temperance. No other source from which so much power for good may come. Let the effort, then, everywhere be to so unite them in this great work that whatever divisions there may be in the present generation of tem-

perance workers, the oncoming generation will present a united and unbroken front to the common foe, so that in their day, if not in ours, the great evil may be wholly and forever exterminated.

The Epworth League has received the unqualified and authoritative indorsement of the church. Its membership have a goodly heritage. The endowment of privilege and opportunity which she gives them is not of recent or accidental origin. It is the fruitage of the best thought and labor of the best men of the church in all the years of her wonderful history. Whatever of helpful influences have been working out their mission of help to the fallen is theirs by express grant. Correspondent to this wealth of privilege and opportunity is an enlarged responsibility. The special advantage of the League over all that could be accomplished by the same persons working outside is the advantage of united action. This, as we have seen, is a consideration of supreme importance with respect to the work of which we speak. The province of the League is to garner up and bind together the influences which are misdirected, and turn them into channels of usefulness, to find out the right avenues in which to reach out and lift up and ennoble the wasted lives which are everywhere strewn about us. It is a great mistake to suppose that the temperance cause can get along without this kind of work and this kind of spirit, or that they are a matter of secondary importance. On the contrary, they lie at the root of all that has been done for temperance

in any period of our history or at any point of our territory.

There are, therefore, many reasons why the young people now should be more interested in this work than ever before. These reasons may be summarized as follows:

First, because they are young, and because now more than ever before the power of the habit to enslave and destroy the young has become apparent. When Pericles delivered his celebrated oration over those who had fallen in the battle of Samos his chief lament was that so many young men had gone down in the conflict. In expressing his sense of the great loss he said: "The year has lost its spring." With great propriety this same beautiful figure might be used to express our sense of the greater loss we yearly sustain from the ravages of this monster evil. These young people, however, stand back of the dead line which the habit fixes for those who once become its victims. Those who actually reform after there has been added to the grip of the habit itself the accumulated force of years are relatively few. Standing free from the taint of the vice, as they do, they are more influential than any reformed drinker, whether his reformation be actual or nominal. Their buoyant hope, their large enthusiasm, their great development on the social side of human nature, all equip them for strong and vigorous work in the cause. Then there is a magnetism about young people enlisted in any cause which is well-nigh irresistible. They carry into their work so much of light and life and sunshine that barriers

of prejudice are melted away, hurtful divisions disappear, and a new and better inspiration is imparted to all. A church made up entirely of old people would be a queer kind of church. It would soon lose its vitality and power. Nothing is so deadening to a political organization as an excess of the antique among the party leaders. The young people are the light and life and hope of every movement with which they come in contact. They give push and enterprise and public spirit to our great cities. They develop and build up and energize our ever-expanding West. Nowhere else are they more needed than in the temperance cause.

Second, because a great embarrassment has come to the temperance work, resulting from lack of harmony among the workers. The young people, for the reasons stated, are better qualified to act in harmony, and thereby to bring better results out of their work. With the power of organization they will draw to them hosts of other young people, who with them will come to wield the power of the ballot, and will use this legitimate power to destroy the great evil. To this end, cheerful reading rooms will be furnished. Harmless and healthful amusements can be provided, where the young people can find stronger and better attractions than in any saloon, however gilded. It is a well-recognized fact that the power of the saloon in both city and country is largely due to the absence of such places. This work will be supplemented by carrying into homeless houses and cheerless dwelling places the spirit of sympathy and the hand of help. They will

not content themselves with holding conventions, and formulating platforms, and printing tickets and voting them, hit or miss, but they will look more carefully after the material of which votes are made. If it be true that the source of the evil is to be destroyed, and that such destruction is to be accomplished by the ballot, it is well to look after the source of the ballot. To secure, somehow, a better voting material is necessary before better voting can be looked for. That work is not a political work and can never be brought about by political methods or machinery. It is eminently a moral work, and must be effected, if at all, as other moral reformations are accomplished. The ballot is well in its place, but its character depends upon the hand and heart that is back of it. What the ballot does practically it does by majorities, and until a majority be found it is a helpless and hurtless weapon.

Third, because, after all, the great agent in overcoming this, as every other evil, is the church. It alone has the promise of absolute conquest. It has direction, too, as to the kind of weapons to be used in the conflict. The crowning feature in the life and work of the church of today is the enlarged opportunity given to young people. The church is getting back to the Bible standard when it magnifies the power and capacity of the young for church work. For when the great Master was asked by his disciples who was greatest in the kingdom of heaven, he "called a little child unto him and set him in the midst of them, and said, . . . Who-

soever therefore shall humble himself as this little child, the same is greatest in the kingdom of heaven." The thought he then desired to impress upon his disciples, if exemplified in the lives of all his followers today, would settle the question of temperance, ballot or no ballot. The church is the greatest agency for good in the world, the greatest power for the overthrow of evil. Let her people get closer to Bible standards. Let them carry into their work more of the spirit of the Master. Then will they come closer together. Their work will be as the work of one man, and that one imbued with the divine power. Then will they and their children work out here the greatest moral reformation the world has ever witnessed. They will hand down to the generations yet to come this land of their fathers, consecrated by the labor and sacrifice of good men, redeemed from all the wrongs of human bondage and freed from the ravages of the greatest crime of all the centuries—intemperance.

AT NEWTON HAMILTON CAMP MEETING, EPWORTH LEAGUE DAY, AUGUST 16, 1893, ON "EFFECTIVE LAYMEN"

The announcement of this subject implies that there are laymen who are not effective. The complaint is not only that there are such but that a considerable proportion of our membership everywhere is of this character. The great problem in church work today is how to secure more efficiency among laymen. It is my purpose, principally, to point out some of the qualities that an effective layman should have, and to make a single suggestion as to how the proportion of effective laymen may be increased. In doing so I will not, by any means, attempt to indicate all of the qualifications, but only some of those to which I think we do not usually attach sufficient importance.

First, the effective layman should be loyal to the doctrines and usages of the church. There never was a time when this loyalty was more important than now. The tendency of the times is to take away from Methodism its peculiarities, and to make it subservient to the notions of people who are outside of the church, and many of them outside of all other churches. What Methodism is to be in the future ought to be determined, mainly, by reference to our Discipline and our history rather than by the untried notions of those who are without knowledge of or sympathy with either of these standards.

Unless this influence find resistance somewhere, it will make the Methodism of the future an unrecognizable and perverted product of the great system which our fathers established in the last century. It can only be successfully resisted by an aggressive and cultivated opposition on the part of the membership of the church. Without them the ministry is wholly inadequate to resist the pressure with which new and dangerous departures are urged upon us. In all matters of this kind the influence of laymen is more potent than that of ministers. One reason for this is that they come more directly in contact with the world, and have many avenues of communication and means of reaching and influencing their fellow-men which are not open to the minister at all. This course upon the part of the laymen is not only a matter of duty; it is also necessary to effective work. What a man does depends upon what he believes and how strongly he believes it. A strong, clear conviction is a prerequisite to strong, aggressive, and effective work. The loose notions which are often entertained on the subject of amusements, and of the Sabbath, and of temperance, and which often develop into correspondingly loose practices, are the legitimate outgrowth of an indifference to solemn obligation which amounts to a species of infidelity and which wholly disqualifies for effective work or healthful influence.

Second, he should bring to the service of the church his business capacity. If he be a financier, a man of skill in devising ways and means for tid-

ing over financial straits, he will have large opportunity for the exercise of this skill in the church. If he be a man of pleasing address, and qualified to harmonize difficulties, he will find there a large field for the exercise of these gifts and graces. If he be a man of tact fitted to deal with queer people, he will be in great demand as a church worker, for there are a great many of that kind of people in the church. Nobody understood this better than John Wesley, for we are told that when a young man once came to him and asked his advice as to the propriety of his marrying a certain young lady well known to both of them, Wesley advised him to not think of such a thing. "Why," said the young man, "is she not a member of your church?" "Yes." "And you think she is a Christian lady." "I have no doubt of that," replied Wesley. "Then why should I not marry her?" inquired the young man. "Because," said Wesley, "there are a great many people in the world that the Lord can live with that you and I cannot." So it is. We often expect religion to do too much for people. Religion will always make a man or woman a much better person, but it is quite too much to expect that it will make a big character out of one who was before a very small one. We see this illustrated everywhere. You and I know people in the church who are doing a considerable amount of good, who are yet so small and narrow that you can only get along with them at all and keep them in the church by a degree of coddling and humoring and flattering, that would be disgusting to people of larger mould and broader

gauge. The church is not only a great evangelizing and christianizing agency but it is also, in a sense, an immense business establishment. Its work is done through human agents. Much of it depends upon the correct application and the skillful exercise of business principles. Here, as elsewhere, in the world, all the weaknesses and perversities of human nature are to be encountered and overcome. The effective layman must be qualified not only by the graces of the Spirit, but also by the possession of a large share of that knowledge of human nature which comes of constant contact with the busy, bustling world around us. Nowhere is tact more needed than in the management of church affairs. Without it the most embarrassing results may follow the best intention and action. Beneficent results also often flow from the exercise of this quality.

Third, he must realize the value of organization in church work. We live in a time when the power of organization is felt more than ever before. It is a time of specialties, when work of all kinds is divided up and laid out in small pieces to each man or woman according to the special qualification of each. The fabric which in the olden time was the work of one hand at the loom, is now the work of many hands. The simplest piece of mechanism is often the product of the labor of many workers. An intelligent and discriminating application of this principle to church work would result in largely increasing the number of effective laymen. It is usually assumed that the lack of effectiveness

among laymen is wholly due to indifference and lack of piety. There is good reason for believing that a large share of it is due to want of discrimination in selecting for them church work suited to their special gifts and natural adaptation. It is so in business. So in political organizations, and for the same reasons it is so in the church. There is constantly a tendency to expect everybody to come up to the same level and qualify for the same kind of work. No greater mistake can be made. It has more than once led to the discouragement of one class, and has not infrequently encouraged another class to undertake what they were wholly unqualified for. It has in some instances taken away from religious services that order and decorum without which no good results can come. For instance, I have often heard a preacher say: "Now, let everybody sing." Well, in so far as that may be regarded simply as an appeal for congregational singing, it is very well, but taken literally it will not do at all, for the plain truth is, everybody cannot sing any more than everybody can swim. There is scarcely a congregation in which there are not respectable members whose singing would thin out the attendance as rapidly as an epidemic. There are other exercises for which every church member, however faithful, is not qualified. It is not wise nor safe to assume that hesitation on their part to undertake every kind of work and responsibility is evidence of lack of interest or of fidelity. Such assumption is also without scriptural warrant. The whole of the twelfth chapter of First

Corinthians is an argument against it. That chapter was written by the most skillful and experienced and successful church organizer the world has ever seen. The keynote of his view of the whole subject is to be found in the fourth, fifth, and sixth verses of that chapter, where he says, "Now there are diversities of gifts, but the same Spirit. And there are differences of administrations, but the same Lord. And there are diversities of operations, but it is the same God which worketh all in all." In fact, the original organization of the church, and the appointment of work among the heroic men who wrought with such skill and might as to awaken the world to a consciousness of the power of the gospel, and started out the church on its marvelous mission of mercy and salvation and immortal life, are illustrations of the importance of adapting the work to the worker. Every passing century and every advance in civilization since has added its emphasis to this importance, until it has now become a recognized fact, more amply illustrated than ever before, that the church which is in the most growing and healthful condition is indebted for that condition not so much to anything else as to a careful and thorough organization.

Let me suggest in conclusion that the most recent and the most hopeful recognition of the value of careful organization in church work is the Epworth League. Among all of its excellent features none is so prominent and characteristic as this: that its broad field of work is so intelligent-

ly divided into distinct departments, and such provision made for the appointment of the work of each department that it is entirely practical to so conduct a chapter as to make every member of it a faithful and effective worker for the League, and for the church, and for humanity.

BEFORE THE METHODIST EPISCOPAL GENERAL CONFERENCE, AT CLEVELAND, OHIO, ON WEDNESDAY, MAY 6, 1896, ON "ELIGIBILITY OF WOMEN AS LAY DELEGATES"

Mr. Chairman, Fathers, and Brethren: I fully indorse all that has been said as to the importance of the pending question. To the right discharge of our duty, also, nothing is more essential than right understanding of our relation to this inquiry. It is a purely judicial inquiry. We are to exercise no legislative functions whatever, not any more than if we possessed none. This is apparent from the nature of the inquiry, and also from the fact that we had to resolve ourselves into a judicial body in order to enter upon this discussion at all, as was stated by Bishop Merrill, then presiding, at the opening of the discussion on Monday morning. Therefore all that has been said to the effect that it would be wiser, or safer, or better to again send the question down is gratuitous, and apart from our present duty. We are not now given any such alternative. The responsibility is on us of determining whether these challenged women, under the law of the church as it now stands, are or are not eligible. That and that alone is now before us. I have had my full share of this responsibility, for I was a member of the special committee in 1888, as well as of this committee. But I

propose to face the question squarely now as then.

The law under which this question arises is that which provides that all laymen of twenty-five years of age and five years' membership are eligible to this body. It is apparent that our duty is to determine the scope of this word "laymen." Does it or does it not include women? That is the whole question. In determining this question there are two rules of construction specially applicable. One is that adverted to by Senator Harlan, of Iowa, that words in a constitution or statute are to be taken in their natural and usual sense, unless they have acquired some other special or technical sense, which it can be shown was intended. It cannot be shown that this word "laymen" has had any such special meaning. Indeed, there are not many better understood words in our Discipline. As both the dictionary and the common language of the people include under this word the whole membership of the church not in orders, it is for those who allege a different meaning to establish it, and also to establish the intent of the lawmaker to limit the word to that restricted use. It is not enough to show that he did not specially intend to include all that may be included.

The other rule of construction is that the intent of the lawmaker must be ascertained from the language he has put in the statute or constitution. If he has used an obscure word or, one not of obvious meaning, resort may be had to contemporaneous usage, and the history of similar legislation, not to

nullify that word or get rid of its meaning, but to ascertain its meaning. If, on the other hand, it be a well-understood word, such resort is both unnecessary and improper. This rule is of the highest importance. Without it there could never be any certainty in legislation or the results of legislation. We would constantly be menaced by traditions of the verbal statements of those who made the law, to oppose and undo that which they have written for our guidance in an imperishable record that we might have certainty. This rule sets aside all talk of what the fathers intended, as evidenced by what some of them said, as outside of any recognized canon of construction. Such statements have no evidential value whatever. I think it probable that the fathers had no specific intent to either include or exclude women. But they used language which in its ordinary and usual sense, then and now, does include them. They are gone, most of them. Their language remains, and we are here to deal with the language and declare its meaning.

All law lies in general rules or terms to be applied to new facts, or cases as they arise. It is the business of construction to make that application. Bicycles are now given certain rights and subject to certain duties upon the highways. The fathers who laid out these avenues of travel and commerce never dreamed of this mode of travel, they, nevertheless, laid them out wider than the then known modes of travel required. The courts have had no difficulty generally without new legislation and always without constitutional enactment, in admitting them to

these rights of way subject to substantially the same restraints they had put on the pioneer vehicles. Courts are principally concerned with the width of the highways. So it may be conceded, that the fathers never dreamed that their daughters would ever desire to travel the highway that leads up to this supreme council of their great church, still they planted institutions everywhere by which they might be both qualified and inspired for the grave duties here imposed if they ever should want to come. Now, if it be also the fact that they built the way here wide enough to admit them, then let us have the courage to say, Let them come.

The fathers, however, went farther than to use the general term descriptive of the class who were to come here. They themselves gave us their own constructon of that term. They did that at the same time they gave us this law and first admitted laymen in 1872. In Nesbit's case they resolved that in all matters relating to lay delegation the word "laymen" must be understood to include all members of the church who are not members of an Annual Conference. It is true the case before them then was that of a local preacher, but it is also true that the language of the resolution is in no sense restricted to that class but embraces the whole body of the membership outside of the Annual Conferences. It is an instance of the application of a general rule to a special case. My brother, Judge Brill, says this construction would take in the bishops, because they are not members of an Annual Conference; I am not so sure of this. As they are,

by virtue of their offices, presidents of the Annual Conferences, in the broad, common acceptation they are members thereof, as they are members of this Conference in the sense of identity with it.

The decision of 1888 was by a divided court, a bare majority. The General Conference of 1892, in any view that may be taken of its action on this question, did not regard the action of 1888 as decisive, but dealt with it as an open question. [Time expired.]

Our duty, therefore, is a single duty, and lies within a small compass. Let us take the law of 1872 and give it no narrow or illiberal construction, but rather that construction which will harmonize it with the progressive spirit of our day, which is nowhere so greatly emphasized as in the higher appreciation into which woman has come. If we do this, we will only widen out her power and privileges to the limit set by the fathers themselves, and will not thereby narrow our own. I therefore oppose the motion to substitute the minority report, and stand by the report of the majority of the committee.

AT GENERAL CONFERENCE, CLEVELAND, OHIO, MAY 28, 1896, ON "SEPARATE SEATING OF LAY DELEGATES"

Mr. Chairman and Brethren: I had not expected to speak on this question, for I had supposed there was not a layman here who would offer any objection to this report. The report does not give the laymen as much as they are entitled to. They are entitled to such action that a majority of them should determine whether they would sit separately or not; and they should be permitted to sit separately in a body. The full length this report goes to, though, is to permit only those that elect to sit separately, and anyone who desires can sit with his clerical delegates. Now, that is the very least that this Conference should do in the direction of separate sitting. The report permits every delegate to elect for himself whether he will sit separately from the clerical delegates or sit with the clerical delegates. It is asking very little that the lay delegates be permitted to elect whether they will do the one or the other. We have been in favor of separate sitting from the first. Every delegate here who has been in any preceding General Conference has persistently urged separate seats. On the Saturday night preceding the opening of this General Conference there were ninety odd lay delegates who met in the First Church for the purpose of taking action on this question; and out of that number

there were only five who did not vote in favor of separate seats. Now, we say that the very least that this Conference can do to enable the lay delegates to take such action and to be so seated in this Conference as that they may be enabled in some sense to make their influence felt is to permit them, when they desire, to sit separately.

BEFORE CHILDREN'S AID SOCIETY CONVENTION, CLEARFIELD, PENNSYLVANIA, JUNE 4, 1896, ON "CHARITY"

THERE is such a thing as charity independently of the Bible and of Christianity. In some form or other it has always had instances and illustration. The disposition of one man to help another is one of the innate qualities of our being which survived the fall, and followed man into his lost estate, and in some sense indicated the greatness of his origin. The difference between that charity which is outside of the Bible and that which is the product of Bible teaching is mainly the difference between unorganized and organized charity, as a result of the effect of charity upon the giver.

The world without the Bible could easily understand that charity was a good thing to the one receiving, but the Bible alone taught the doctrine that "it is more blessed to give than to receive." In other words, that charity was a benefit to society as well as to the individual. Organized charities are the result of this truth. It is on this principle, too, rather than upon any other, that they are the subject of governmental protection and encouragement in all highly civilized states. Of course they receive more encouragement in some states than in others. Some have small revenues. Others with large revenues have so much turned into questionable channels that but little remains for a charity like

this. But that any encouragement is given is a recognition of the principle adverted to.

The principal charity which is represented by this convention deals with the elements of society and government. The home is the foundation of society. There can be no wise or safe government where there are no homes. That government is unwise and unsafe just to the extent that it permits any considerable portion of those who are soon to assume the obligations of citizenship to grow up without the educating influence of the home.

The great thing which commends your society is that its purpose is to find homes for the homeless children of the state. Some are made homeless by the death of their parents, others by the extreme poverty of their parents. Still others by the crime of their parents. They are victims of

An orphanage which springs not from the grave,
Nor falls by the stroke of heaven or the hand of the assassin,
But that comes before its time,
And is brought on by the bitter cruelty of parental crime.

In a country made up of diverse elements of population as our own it is to be expected that many such cases exist and will continue to exist. The duty of providing for them is enforced by the best instincts of humanity, by the highest considerations of patriotism, and by the obligations of religion.

When it is remembered that in many counties of the commonwealth, the balance of political power is held by the idle and irresponsible voters, and when you add to that the fact that the saloon

is recognized as the most potent influence in controlling these votes, you have a condition of things which makes it desirable to lessen both the irresponsible vote and the influence by which that vote is controlled, in the generation to come if not in this generation. These considerations bring the work of this society home to every thoughtful man and woman.

It is not a mere sentimental work, although it appeals strongly to the feelings, and enlists the sympathies. It is not merely a religious work, although it furnishes the best illustration of practical Christianity to be found anywhere. It has much to do with the kind of government we are to have, both local and general; with the burdens of taxation we are to bear; with the moral tone of the people, and that of those who govern them. A chain is not stronger than its weakest link. The weak link in the American chain is the class who hold the balance of power, which determines whether the honest or the disreputable are to make, administer, and execute the law in the county, the state, and the nation. So long as that class remains weak or dangerous they endanger the whole fabric. This work is, therefore, an intensely practical work and commends itself to the sense and judgment of practical people.

It is entirely proper that the direction of this work should be in the hands of the women of the state. They are the best representatives of the home, and best qualified to select suitable homes for these boys and girls. Their effort is to find homes

where they may learn industry and sobriety and thrift, and may lay the foundations of a character which will qualify them for the important duties of citizenship. In this work they are entitled to our coöperation and our help. One of the advantages of a convention like this is to call public attention to the methods of work and their success as evidenced by the results which have already been attained. All this has been very well done by those who have preceded me, and who have had the advantage of actual experience in the work.

GENERAL CONFERENCE, AT CHICAGO, ILLINOIS, MAY 14, 1900, ON "METHOD OF CALLING FOR VOTE BY ORDERS"

THE BISHOP: Brother Murray has the floor.

Thomas H. Murray: I prefer to have the delegates here before I undertake to speak.

J. A. Mansfield: Brother Murray wants to wait for the delegates to come in, and I want to move an amendment.

The Bishop: He waives his right for the amendment by Judge Mansfield.

J. A. Mansfield: I would move that in the adoption of Article 9, that all of the words after the word "all" be dropped out of this section, so that the section shall read: "The ministerial and lay delegates shall deliberate together as one body."

A Delegate: I second the motion.

J. A. Mansfield: The time has come, in my judgment, when we should do away with this matter of distinction between laity and clergy. There was a time when we had but few lay representatives upon this floor, when the occasion might arise for separate voting, but today, thanks to our ministerial brethren, we are here as equal members, in numbers at least, if not in ability and parliamentary strategy, and when it comes to voting I think we should vote in one body, without any distinction as to whether the voter is a layman or a clergyman.

The Bishop: Have you written out your amendment? Has the amendment been written?

J. A. Mansfield: It has not.

The Bishop: It must be written out.

The Secretary: It is required to be written to form part of the record.

The Bishop: Please write it out and present it.

A. B. Leonard: How does the question now stand before the house?

The Bishop: Brother Murray is waiting to deliver his address. He has the floor. In the meantime, by his consent, an amendment has been offered from a representative from East Ohio, which he is now writing out and which will be read by the secretary.

D. F. Pierce: Mr. President, a question of privilege.

The Bishop: State your question of privilege.

D. F. Pierce: We can hear absolutely nothing. There is so much confusion that we know nothing about what is going on.

The Bishop: Shall we have perfect order?

H. M. Hamill, Illinois: Mr. Chairman, a point of order.

The Bishop: State your point of order.

H. M. Hamill: It is that the words "order" and "orders," in Article 7, now under debate, are not defined either in this section or elsewhere, and, therefore, have no place in this article under discussion. The constitution does not say what it means by "orders," and it should so say.

The Bishop: When we come to that point a

motion may be introduced containing whatever you wish to cover in that regard for the constitution.

Thomas H. Murray: Mr. Chairman and brethren, when I was interrupted by the recess I said that I speak at some disadvantage at this time, but I prefer to take the risk of that—

John Sweet: Mr. President, a question of privilege.

The Bishop: State it.

John Sweet: The brethren on that side have a pernicious habit of turning their backs on us and addressing themselves to some particular corner of the room. I want them to stand square and look the Conference in the face, so that we can all hear.

Thomas H. Murray: Having received this instruction, I will now attempt to proceed. I regard this pending question as one of vast importance, and I find myself wholly unable to agree with either of the three brethren who have preceded me, Brother Douglas, Dr. Neely, or Judge Mansfield. I want the vote by orders to be something more than a possibility. I deny that there is anything necessarily cumbersome in taking the vote by orders. It is a very simple process, and the only thing to make it cumbersome is the objection on the part of persons who are unwilling that that vote be taken. I deny that any unreasonable delay may be caused by the taking of the vote by orders. I think it may be admitted that there are changes in the Discipline that would be covered by this first section that are unimportant, but the brethren who propose to do

away with the vote by orders on changes of Discipline do not propose to make any distinction. Their effort is to wipe out the vote by orders so far as that provision in the constitution is concerned, upon the important as well as the unimportant changes in the Discipline. There must be a fixed rule, and the rule prescribed by the proposed constitution is that upon all changes of Discipline there shall be a vote by orders. Now, that much as to some of the objections made. Another objection made is that it tends to widen the line of cleavage between the two classes of men in the Conference, and it is urged that there ought to be no difference, and it is proposed to abolish all distinctions. We deny that it is possible to abolish the distinction. They are different classes of men, elected by different bodies, and they are so different that the constitution itself pronounces them different orders of men, and it is because they are different classes of men that they are elected. We deny utterly that this Conference is a Conference of preachers with laymen interspersed among them. It is a Conference made up of two different classes of men, one preachers and the other laymen, and so different that they constitute different orders; and the reason why we are sent here is because we are different classes of men. Upon many of the questions that come before this body all or nearly all of the ministers are interested, and a very large proportion of them are pecuniarily interested, and it is altogether too much to expect that they will vote as disinterestedly as laymen will vote who have no possible interest in

these questions. Now, for that reason there ought to be a separate vote, not only upon changes of Discipline but upon many other of the questions that come before this body. I, therefore, am opposed to making any change in the constitution. I have no sympathy whatever with this cry that there ought to be an abolishment of the distinction between the two orders in this house. I deny that there necessarily arises any antagonism from the fact that there is a vote by orders, or from the fact that there are two classes of men. It is not a matter of sentiment, it is a matter of actual fact recognized in the Discipline, and recognized by the mode in which these men are elected to come here, and it is because they are different classes of men, having different interests, and, therefore, prepared to vote from different standpoints, that I say that there ought to be incorporated in the constitution a provision by which there shall be a vote by orders upon all vital changes of Discipline, and every change of Discipline is a vital question. The fact that that vote has not been exercised very frequently heretofore is no indication that it is a dead thing. The right to exercise that vote has had a powerful influence upon the deliberations of this body. Many things have not been attempted that would have been attempted if that right had not existed. There is no brother here who will go further than I will to avoid antagonism between the two orders, but there is no brother here who can assert that because we insist upon a vote by orders (a constitutional provision duly adopted), that, therefore, that car-

ries with it the idea of antagonism. I think the proposition that all distinction between the two orders should be abolished is a proposition of sentiment that violates the fact. The relation between the two classes of men is not what we regard it but what it is as a matter of fact; and the characterization or designation of them as different orders of men, and the provision for a vote by the separate vote of each order, is based not upon sentiment but upon fact. The idea that because we have been permitted to come into this body in equal numbers the vote by orders should be repealed, or should be crippled in any way, is entirely unwarranted. It does not rest upon that fact alone. Because we come here as a body in larger numbers is no reason why our power and our influence in this body should be nullified. I have no sympathy with the idea that because our brethren of the ministry have permitted us to come here, that therefore we must get down on our knees and say: "Now all distinctions are abolished and we will intersperse ourselves among all the ministerial brethren where nobody can find us, and we will not put ourselves in a position, where if they propose to do something that seems to us wrong, we cannot put a check to it." I have no sympathy with that idea at all. If we come here, we come as men, we come here because we are laymen and because we are disinterested in many of the questions that the clergy are largely interested in. I submit, then, fathers and brethren, that the provision in the constitution should stand as it is, and that the vote by orders

should remain incorporated in the constitution as an express requirement with respect to any change in the Discipline and as a right to be exercised upon the call of a sufficient number upon any other question that comes before this body.

AT GENERAL CONFERENCE, AT CHICAGO, ILLINOIS, MAY 22, 1900, ON "TIME LIMIT"

Mr. Chairman, Fathers, and Brethren: I am here to protest against the attempt to strike down the most distinctive and fundamental principle of Methodism. The history of this attempt is instructive. At New York, twelve years ago, when the change from three years to five was made, it was charged that this action was but the entering wedge to a removal of the time limit. The answer then made by those who crowded that measure on that Conference was that, on the contrary, it would have the effect of protecting the time limit. Only four years later, these people having secured that change, and having urged in support of it their purpose to protect the time limit, went into the General Conference of 1892, at Omaha, and asked for an absolute repeal of the time limit.

Now, with an added experience of eight years, the principal argument for the repeal is that the action of 1888 was not only unwise, but unprofitable, in that but five per cent of the clergy have been affected by it. That fact, on the contrary, is an argument for the three-year rule, under which more than eighty per cent were affected. After a persistent canvass by the comparative few who hope to be benefited by the repeal, prosecuted through three quadrenniums with a zeal worthy a better

cause, the cold fact remains that there are not now before this Conference as many memorials for the change as there were in 1892.

This situation establishes that there is no general demand by the people for this radical change. It is confined mainly to city churches, and to those who in some form or other represent them. Accordingly, you have listened for nearly two days to city preachers, either such now or such by training and affiliation. Governor Shaw is the exception, and he admits that he is a recent convert. His conversion can easily be accounted for by recent events in his remarkable and honorable career, by which an entirely different environment has been brought about him. It has been argued that the college presidents and editors are secure in their position, and that this security ought to be passed around for the benefit of the five per cent of the clergy affected by the time limit, for whose benefit alone these speakers claim to be concerned. The college president, it is true, does not itinerate, but he owes his place and power largely to the fact that his graduates do itinerate. So the editor does not itinerate, but his paper does, and he makes himself felt by the itinerancy of his paper. Now, the distinction between the pastor and these two classes in the respect here involved is a very obvious one, and there can be no legitimate foundation for the argument that because the college president and editor remain, therefore the pastor should remain. For the special cases which these brethren represent, let there be special provision. But let not

the whole church be involved in a change that reverses all the traditions of the fathers.

Methodism has not now and never has had its stronghold in the city. For the labor and money expended incomparably greater and more permanent results have come from the work outside of the city. This was shown from this platform the other evening with startling candor and clearness on the occasion of the anniversary of city evangelization. There are many reasons for this. Chief among them is the persistent effort in the city to take away from Methodism everything that gave it a distinct place and has made it a distinct power in the world from the time of John Wesley until this time. Not strange that the amusement article is imperiled. The pressure against it is from the same source. If you want to build up a favored class of men and a favored class of churches in the cities, we beg of you to limit this method to the cities. Do not carry it out into the wider arenas where Methodism has always had a welcome home and where she has always won her chief conquests because of the itinerant system.

This is not by any means a small question or a narrow issue even as between the majority and minority reports, as claimed by my friend, Dr. Little. On the contrary, it is about the biggest question this Conference has had to deal with. Let us, therefore, not belittle or disguise it. If you take away the time limit, you destroy the itinerancy, and when you destroy the itinerancy you destroy Methodism. In this the closing and crowning year

of the century, when you are recounting the achievements of the past, and deprecating some of the conditions of the present, you can ill afford to make such a wide departure. What I am concerned in, and what the 68,000 Methodists of Central Pennsylvania, whom I have the honor to represent here, are concerned in, is this: If you take away the time limit, and all that belongs to it, and all that goes with it, how much do you propose to leave? How much of the Methodism of the past do you propose to carry with you into the new century? Not a man of you can tell, for no living man can tell the measure of your undoing if this wide, sweeping report becomes a law of the church. Let us, I beg of you, better safeguard the heritage committed to our hands, that our children may find in it a path of safety, and not a perverted and distorted and unrecognizable remnant of the faith once delivered to their fathers.

AT METHODIST STATE CONFERENCE, HARRISBURG, PENNSYLVANIA, OCTOBER 25, 1900, ON "A MODEL MINISTER"

First. He should be *manly* in his make-up. He need not be handsome. He need not be even attractive looking. Either such requirement would take out many. But he should have a generous endowment of manly qualities. He must have that about him which will command the respect not of everybody but of the thoughtful part of the community. He must have in him those qualities which on nearer approach will attract people. He comes in close contact with the home and the home life of his people. He must, therefore, have that kind of manhood which will stand that kind of test. In the language of Saint Paul, he should "rule well his own house, having in subjection his children," otherwise, "how shall he take care of the house of God?" All this he ought to have and be apart from the religious side of his life. Religion will not do everything for a man. He must, therefore, be of reasonably good material to begin with.

Second. He should have a *clear,* strong *conviction* of the greatness and responsibility of his work. He is a representative man. Not in the world doing his own work but the work of his Master. This conviction will give character to his whole life and conduct; it will give him wisdom; it will give him courage; it will give him power among men. It

will inspire confidence in him and his work that will be a large element in his ultimate success. In all the other professions and occupations of life much depends upon the estimate which the young man puts on the possibilities of his work. The young man in any profession, who, amid all its discouragements, and the disparaging prophecies gratuitously made as to his future, pours into his work the energies of his life, always succeeds, because he has a deathless faith in his work and his future, and the inspiration which this furnishes him penetrates his environment and links him to destiny. Take the young lawyer without a client, and, so far as superficial appearance indicates, without the prospect of any. If you want to find out whether he will succeed, your principal inquiry need not be as to the business people who may be enlisted in his favor by his family relations, or, it may be, his wife's family relations; there is a shorter and more certain source of inquiry. It is this: find out, somehow, what his own notion or estimate is of the work he has undertaken to do. If that be a correct estimate, then he is likely to win the battle, for that will give an impulse to his study and work that will push him into the deeper significance of all that he studies and does. The diction of the law will become a part of his unpolished vocabulary. Its immutable principles will gradually unfold to him until they enter into the warp and woof of his untrained thought. Thereby he will be qualified to apply the unerring principles of right to the business entanglements

which will come to him for solution without the enlistment or solicitation of friends and despite the opposition of foes. If this much is to be said of the importance of a right estimate of his work by the man who deals with the things of time, how vastly more imporant to him who is divinely called to deal with minds and hearts that are immortal! His principal business is not by law to adjust the rights, or redress the wrongs, of men in their relations of citizenship here. Usually the less he dabbles in that kind of thing, the better both for him and his work. His mission is rather to help men to a better kind of living here, and thereby qualify them for citizenship in that higher and better commonwealth that will endure forever.

Third. He must be a man of *tact.* To deal with all kinds of people, on all kinds of occasions, the young and old, the wise and unwise, the grave and the gay, at the wedding or at the funeral, at the house of feasting or at the house of mourning, requires something more than piety. He must have that rare equipoise of faculty and resource which is called common sense. So much depends on when and how a thing is said or done, that the best word or act may be wholly undone by the setting in which it is placed. The special art of the pastor is not to find out how much evil is in people and hold that up to public gaze as a trophy of his discovery, even as a thing to be boasted of or gloated over, but rather how much good. He is not sent out to hunt bad, but good. Any kind of a man can find out the evil, but the man that is wanted for the world's

evangelizaton is the man who can find the good that is in people, for the weakest and worst of whom Christ died. To this end he must not only have a large, broad sympathy, but with it a knowledge of human nature, which will enable him to come in close contact with all kinds of people. Each and all of them have some good side—some avenue of approach. If he have the tact, the sense, the judgment to discover that side, then and then only will his sympathy, his piety, become practical to that person. If, however, by lack of tact he strike the wrong side, then will he find all doors bolted and barred, and his sympathy and piety to that person will be of no avail. Saint Paul understood this well when he said to the Corinthians: "I am made all things to all men, that I might by all means save some." It has been said by a great writer: "Man is like a piece of Labrador spar, which shows no luster as you turn it in your hand until you come to a particular angle, when it glows with bright and beautiful colors." Let me suggest that the rarest gift of the pastor is the special quality which will enable him to find out that special angle or side of human nature whereby he may render available and practical the higher ministrations of his great calling.

Fourth. His preaching must be *adapted to the times* in which we live. He must, therefore, be a student. Preaching now, more than ever, should be expository of the Word. There is at the same time more study of the Bible by the people, and more desire to know its deeper truths, than ever before. The side light thrown upon its pages has

attracted the world to its examination as never before. This condition makes greater demands upon the pulpit in one direction, and lightens its labor in another. No other help is a substitute for the pulpit. Its work remains. That work is especially to show forth the natural light, which is of the Word itself, as distinguished from the artificial light from elsewhere. This peculiar work is now more imperative because of the growing tendency to rely upon outside helps to the exclusion of a close study of the text of the Scripture. Much explanatory and introductory matter, formerly requisite, is now unnecessary, and more time and room is thereby given for study of the text itself. The preacher of today, therefore, ought to get farther—and carry his congregation farther—into his text than was possible under former conditions. His facilities for better study, and his congregation's capacity for better appreciation are greater than formerly. The importance of this deeper work is found also in the fact that the attacks made today are directed, not so much against the peculiar doctrines of any church as against those fundamental truths of Scripture upon which all evangelical churches are rooted and grounded. The truth is to be put into a light so clear and strong that it will melt and burn away every barrier in its pathway.

The preacher, however, must have a congregation. To have and hold a large congregation a different style of discourse from that which formerly succeeded has now become necessary. The railroad and telegraph, and telephone and printing press

have taught people to work faster and think quicker, and speak more tersely than in the olden time. The result is they soon grow impatient of those who have not caught this inspiration. The preacher, too, is expected to join this to his other inspiration if he would be widely useful. He is not given any exemption because of his calling, but must adapt his speech to the necessity of changed conditions, and must so speak that earnest, but busy, active men will hear him. In all other kinds of public speaking the man who succeeds is one whose vocabulary is, so far as practicable, that used and understood by the masses. It is not a time, however, and never will be, when slang of any kind or in any degree can rightly or successfully be used in the pulpit. The place, the subject, the cause are all too sacred for that. So also there is no time nor authority in the pulpit for all that brood of evil commonly designated as sensational preaching. The pulpit is no place for any kind of preaching but gospel preaching. No other kind is authoritative, and no other kind will evangelize the world and bring men to Christ.

Fifth. His *life* should be *a sermon.* There is only one unanswerable argument which Christianity furnishes the world. It is not the Bible. Some kind of answer has been made, and will continue to be made to its precepts which will enlist followers. It is not the analogy between Bible truth and other truth which men unhesitatingly believe and act upon. The simple, unanswerable fact, before which the world stands with uncovered

head, and in silence, is a consistent Christian life. It is not truth in the Bible, nor truth embodied in learned treatises on the Bible, but Bible truth embodied in human life and action that wins the world to Christ. The whole system of divine revelation is a recognition of this view. To us, as to our fathers, there is presented for our guidance not truth in the abstract but truth as portrayed and presented in the perfect life of Christ. All human experience accords with this. Most of those who have lived and died in the faith have been brought to this faith, not so much by study of the Word as by the illustrations of that Word which they have found in other human lives.

The pastor, as the special representative of this perfect life and this faith among men, can have no equipment or endowment which will count for so much as his personality. That will be constantly impressing itself on the church and the community. It will be a sermon read and studied by people who will never hear him from the pulpit. It will enter into the life of the young and old, and will be to many the earliest and most lasting ideal of God's prophet that will ever come to them. When all his other sermons are packed away for the last time, yes, long after he shall have been gathered to the rest of his fathers, and still later when there shall not be found a human ear, anywhere, that has ever heard his voice, nor a human eye that has ever seen his form, even then will this one deathless sermon of his life be alive and at work upon the minds and hearts of men, lifting them up to the higher and

better things which God has prepared for his people. The hold that John Wesley has at this day upon the church and the world is not due so much to the fact of his capacity as a writer and preacher, wonderful as that was, nor to his power for organization, tremendous as that was, as to the fact that these were accompanied and crowned by a life so pure and unsullied that it remains to his church unmarked by the bitter persecution and fierce misrepresentation with which he was assailed. With such a progenitor, and such an opportunity, may the life of the Methodist preacher of today be full of the inspiration which these afford, and may it be crowned with the benefactions which belong to his high calling!

PRESENTATION OF MEMORIAL TO GEORGE W. RHEEM, ESQ., ON THE FIFTIETH ANNIVERSARY OF HIS MEMBERSHIP IN THE METHODIST EPISCOPAL SUNDAY SCHOOL, CLEARFIELD, PENNSYLVANIA, MAY 12, 1901

BROTHER RHEEM: On account of this being the fiftieth anniversary of your membership of this school, it has been thought that some public notice should be taken of this fact. To that end a committee representing the whole Sunday school and the church has decided to present a testimonial which might in some measure express their appreciation of your long and faithful service. I have the honor to make this presentation and to make such observations as the occasion may seem to suggest.

It is a very unusual thing for one man to be connected with the same church for fifty years. The shortness of life and the changes which come are such as to render this a rare experience. It is, however, still more unusual that the same man should have been connected both with the Sabbath school and the church for such a long period and been so active in both. This testimonial is intended to express the congratulation of these people upon this unique and somewhat remarkable experience.

During these fifty years many changes have come to this church as well as to the community in which

we live. Then our membership was somewhere between fifty and sixty; it is now six hundred and forty. During that time the membership of the Sabbath school has increased from a similar number to five hundred and twenty. The population of the town then was less than five hundred; it is now over five thousand. The population of the county then was something over twelve thousand; it is now in the neighborhood of eighty-four thousand. It has one town with a population nearly as large as the population then of the county.

This testimonial is also intended to express to you a recognition of the fact that you have adapted yourself during these changeful years to the changes which have come. You have been able to keep yourself in touch with the people, young and old, and to expand with their growth, and, what is more important, you have been able to do this without surrendering up any of your adherence to the old-time Methodism which you received from your father and mother. You have not found it necessary to insist upon any change of rules, but have adhered to the faith of the fathers.

Another thing I want to remind you of is that this testimonial represents three generations of Methodism. It is not only expressive of the appreciation and gratitude of those who are here now, but also of those who have gone before, for there are now people in this church and Sabbath school whose parents and grandparents were associated with you and to whom you have ministered in the years gone. These young people hereby express not only the ap-

preciation they have of you, from what they have seen and known for themselves, but what they have received as a part of their early teaching by impressions of your life and character from those who have gone before, and that impression has been confirmed and strengthened by what they have seen in later years.

This testimonial, however, is intended specially to express our appreciation of the fact of your constant fidelity to every duty during these many years. Whether in prosperity or in adversity, whether in health or, as now, in sickness, you have, whenever possible, attended to the duties which have come to you. You have done a great deal of work that would not have been done but for you. Whether it has been to prepare the church upon some week day for an approaching special service when others were too much engaged to look after a thing of this kind, or to minister at these altars, you have found time and opportunity to do the work, whether it was an humble work or a conspicuous work. You have lead the singing when there was no one else to lead; you have lead in prayer when others were not ready or unwilling; you have spoken whether you were specially prepared to speak or not; you have visited sick people whose sick room had no other representative from the membership of this church; you have stood by the deathbed of people whose deathbed has had no other visitor from this membership.

Now, this testimonial is intended to remind you that whatever discouragements and whatever apparent lack of appreciation you may have experi-

enced during those years, that we have still taken note and remembered your fidelity, and are here to give expression to it.

This testimonial is typical in two respects. It is put in the most substantial kind of material to express the endurance of character. A man whose life is on the wrong foundation may secure the confidence and the admiration of a people for a time, but the man who holds on his way for half a century, attracting the confidence and the continually increasing appreciation of a Christian community during that long period, gives evidence that he has a Christian character whose influence will outlast the stars and be more enduring than pure gold.

The other respect in which this testimonial is typical is that it is divided (not physically but denominationally) into fifty parts, and represents the fifty years of this remarkable experience.

I, therefore, take great pleasure in presenting this testimonial on behalf of the entire church and Sabbath school, and with it their wishes and hopes that you may have health and strength for many, many years to go in and out among them, and that, finally, "when life's fitful fever is ended," you may receive the higher and better reward of your well-doing.

FOR INTERNATIONAL EPWORTH LEAGUE CONFERENCE, DETROIT, MICHIGAN, SATURDAY EVENING, JULY 18, 1903, ON "THE CHURCH AND THE INDUSTRIAL MASSES"

WHATEVER question there may be as to the attitude of other people and other associations toward the industrial masses so-called, there can be none as to the attitude of the church toward them. Its true relation is that of helpfulness. Its whole purpose and mission in the world as to them, as well as to others, but more to them than to others, because there are more of them, is to help them. The only open question is the character and extent of that help.

There are some things the church cannot do for them. It cannot solve all their problems or settle all their difficulties. Not unfrequently pastors and other representatives of the church are expected to take active part in their contentions against those who are alleged to have dealt unfairly with them. Occasionally so much wisdom and discretion have characterized such interference as to have justified it. But, as a rule, more harm than good has resulted. The special province of the church is to encourage in employer and employe that spirit of self-denial and of seeking the highest good of all which is enforced by the Golden Rule. For "The weapons of its warfare are not of flesh, but mighty

through God to the pulling down of strongholds." Its agency is rather to prevent a crisis than to restore order and harmony out of a crisis. Industrial conflicts, like all other conflicts, are the result of a violation by one party or both of some principle of the gospel. Its principles, therefore, should be clearly and strongly presented, and at a time when the mind of the hearer is free from the agitation which attends such conflicts.

The church can only properly deal with men as individuals. The gospel, which it represents, comes to man without regard to station or avocation. Class distinctions are obnoxious to its spirit. In the sanctuary and in every approach to it these distinctions should be entirely obliterated. The church representative who overlooks this puts himself and his cause in a false position. The gospel is never partisan. Its representatives, as such, can never afford to be. It stands for the whole of humanity, and seeks to bring it to a better knowledge of its Great Author, and to qualify it for service to him both here and hereafter.

The influence and power of the church among men depend upon its being able to bring them to consider their relation and individual responsibility to God as the common Father of all. As they realize that relation they are brought closer together, and are harmonized both in their relation to each other and to Him. It is the Fatherhood of God that produces the brotherhood of man. In his Word these two relations are put together and the one made dependent upon the other. Fraternal rela-

tions to man are made a condition of acceptable service to God. No consideration of self-interest, or class interest, or merely commercial interest, which are at the root of all industrial conflicts, therefore, can have any part or place in the relation of the church to the masses. It is the one institution whose plan of work must be free from anything of the kind if that work is to accomplish its purpose. For that purpose is to unite rather than to dissever, and to make that union broad enough to take in all, for all have a common Father.

Something more than precept, however, is needed to commend the gospel to the masses. Its truth embodied in human life and action is what makes it a power in the world. Now, as in the first century, nothing counts for so much as example. A kind word or act exhibiting a sincere interest in the man who toils will give force and practical illustration to the gospel by which you seek to influence him. Let him feel that you have other and higher interest in him than the work he may do for you. Get closer to him and let him feel that you have a genuine interest, rather than a merely commercial interest, in him and his family. Among the many societies which do commendable work in and for the church none could be more helpful than one having for its special object the welfare of working people of every kind. Aid in securing them employment. Access to church people and church influences are among the advantages which would result. A large field of useful work lies in this direction. Let it be understood that the religion of Christ has

its highest manifestation and its fullest proof in a life of help to others.

This kind of work will not be without practical effect upon the industrial problem of today. It will aid both parties to grasp the one great fact which has been so much ignored. That is the large community of interest between the employer and employe. The employer is only beginning to find out that the most work for the lowest wage is not a good thing for him or his business. The employe, on the other hand, is slowly coming to realize that the highest wage and the fewest hours are not the best thing for him. That his real interest has a deeper and broader basis than this. One of his most enlightened and discriminating advocates in a recent notable address in the city of Chicago,[1] uses this significant language: "The energy now directed toward simply organizing men and seeking to better their condition by raising wages must be more largely turned to the political and economic questions of the day, upon which labor, capital, and wages depend." When the employer comes to realize how much of his capital, how much the safe and skillful conduct of his business, depends on the physical and intellectual and moral betterment of his employe he will not be slow to aid in that betterment by the advance of wages. When the employe comes to find out how much of his prosperity depends upon the successful conduct of his employer's business he will then become as zealous and as persistent about the grade of his service as he is now

[1] Clarence C. Darrow.

about the scale of his wages. There is a community of interest which is the key to a solution of the problem between labor and capital.

There is no such thing in this country or any other country as permanently advancing or bettering one class without regard to the condition of the other. It has been tried here and elsewhere and always failed. That kind of advancement which helps only one class in the end helps none. This is not only a principle of the gospel, it is also a law deeply written in our being. All right rule and government are rooted just here. We are so related to each other by nature that we cannot be segregated either as individuals or as classes. So slow is the development of truth that the world has been six thousand years growing into this great thought. In its earlier development different races and conditions of men were dealt with as distinct communities, separated as are the overlying and underlying strata of the earth. For the last fifty years as never before the world has been under the inspiration of this fact, for it is a fact that, after all, the different races and classes of men everywhere are all parts of one great civilization, so related to each other that wrong to one correspondingly affects the others; all parts of one mighty symphony, singing now, it may be inharmoniously and with a degree of jargon, some "Old Hundred," others "Yankee Doodle," or "Hail Columbia," but destined in the end to sing as in the beginning the morning stars did sing—together. Every great event in that fifty years, whether of war, or fire, or

flood, or pestilence, has brought us closer together. The war of the last generation, here at our door, taught us that the doom of slavery was not so much for its wrong to one race as for its degradation of every race under our flag. The war of this generation, waged upon an arena so wide as to belt the globe with our armies and whiten the seas with our sails, has driven off these seas and out of their islands, where it had ruled and plundered, and into a small corner of the earth, a nation that three centuries ago had half the world under its flag—this fate, for no other reason than that during these centuries it had persistently disregarded this law, by its attempt to crush every people who had fronted its dark presence or thwarted its unholy purpose. So, also, behind the heavy cloud of every fire that has burned, and of every flood that has buried, and of every storm that has paralyzed a part of our land and people has been God's voice, bringing closer together and making akin all those who have remained.

Now, if there be such essential unity between people of different races and countries and sections as evidenced by those forceful examples, how much more between the same people, divided only by station and avocation in life. The differences between them are often a matter of different standpoint from which the question is viewed by each, when, without concern in or care for the interest of the other, each is likely to be governed by selfish and narrow considerations. This is illustrated by the fact that, ordinarily, disputes and conflicts arise

only in times of prosperty. The distinguished representative of labor in the address already referred to says: "When adversity comes, as it must under our present system of production, when large numbers of men are thrown out of employment, then the great strain on trade unionism will be felt. It is comparatively easy to organize workingmen while all are employed, or while work is plentiful." There is not much conflict for the largest share of a deficiency. It is about the division of the surplus over and above the needed compensation of ordinary times that the conflicts arise. So it happens that bountiful supplies, which ought to be cause of contentment and harmony, are made the occasion of strife and discord. This, too, to such an extent as ultimately and logically to threaten the prosperous conditions otherwise assured. It is remarkable how the temptations of sudden prosperity sway the judgment on both sides. Many years ago at a dangerous point on the New Jersey coast, where many vessels were wrecked from time to time, the people were in the habit of plundering the wrecks. To correct this evil, an enterprising clergyman preached against this particular sin from the appropriate text, "Thou shalt not steal." In the midst of the fervor and eloquence of his sermon, someone called out: "There is a wreck on the coast!" Everybody rose up and rushed for the door. The preacher begged of them to stop for a minute while he would say but four words to them. He succeeded in stopping them, and in the meantime was getting to the door himself and had his

coat buttoned up. As they waited in breathless impatience for these four words, these were the words he uttered: "Let's all start fair."

The first step toward correction of this evil is, ordinarily, not higher wages or lower wages, for it is not caused by either, as we have seen. It is an appreciation of the true relation, rather than the artificial relation, which is sustained by each to the other. It is here that the work of the church may be helpful. Not only by pulpit ministrations, which often may not reach them, but by faithful and organized work from the pew, as already indicated, reaching out to every workman, assuring him of an earnest interest, not only in his future, but also in his present welfare. Reaching out also to every employer, enlisting his sympathy, and his money, as well, for the true advancement of those who toil. Whatever of selfish motive or narrow vision may afflict either will be wonderfully widened by this kind of work. The condition of labor and capital is bad enough today. It would be incomparably worse but for the measure of such work already done.

A large element in the question is the "mixed multitude." The tide of immigration here presents a condition of things the fathers never dreamed of nor provided for. The strain has been harder in some sections of our country than others. This state has had its full share. The problem, however, is not a new one. Moses had it to deal with thirty-five hundred years ago. The solution now is the one given by God to Moses then. It was

in these words: "One law shall be to him that is homeborn, and unto the stranger that sojourneth among you." The law is of divine origin and obligation. Its beneficent administration here and everywhere is a product of Christian civilization. Let, therefore, those who are attracted to our shores by our boundless prosperity learn to submit to the law upon which alone that prosperity can be enjoyed and perpetuated. Give them the law which has sustained and protected our institutions at home and abroad, and caused our flag to be honored in every land and upon every sea. Give them the Bible and the Christian influences it has brought to us, that they and their children may learn from these that, after all, the law is but a "schoolmaster to bring them unto Christ."

AT GENERAL CONFERENCE, LOS ANGELES, CALIFORNIA, MAY 16, 1904, ON "CONSTITUTIONALITY OF PARAGRAPH 248 OF DISCIPLINE ON AMUSEMENTS"

MR. CHAIRMAN: I shall oppose this resolution on two grounds. The first is that it is not now a question whether this section is constitutional or unconstitutional. The question whether a piece of legislation was constitutional when it was enacted and whether it is constitutional after a period of thirty-two years are entirely different questions. The courts have repeatedly held that legislation which, if it had to be passed upon at the present time, would have been declared unconstitutional is to be treated as constitutional because of the lapse of time without constitutional inquiry during which it has been acquiesced in. The other ground upon which I will oppose this resolution is that this General Conference can very ill afford, at the time when there is a fierce contest in the committee on the merits of this question, to dispose of it as a constitutional question. It bears on the face of it, whatever may be under it, the semblance of seeking to avoid a contest and the risk of contest on the merits of the question. For both of these reasons I shall oppose the resolution. First, because we cannot afford, after this lapse of time under the well-settled decisions of the courts in matters of the kind, to say now that what we de-

clared thirty-two years ago and have adhered to since as constitutional, has become, after this lapse of time, unconstitutional. And, second, because we cannot afford in a moment of crisis when it is uncertain what the result will be, to attempt to dispose of a great question like this as a constitutional question. Let us, whatever we do on a question that has stirred the church to its foundation, let us meet the question fairly and dispose of it on its merits.

CENTENNIAL OF MANOR HILL PRESBYTERIAN CHURCH, HUNTINGDON COUNTY, PENNSYLVANIA, SEPTEMBER 29, 1904, ON "THE INFLUENCE OF AN HUNDRED YEARS OF CHURCH HISTORY ON A COMMUNITY"

I AM thankful for the invitation to be present and speak on this occasion. I am also grateful that I am so connected through my ancestors with this community in general and with this church in particular as to make such invitation proper. What I have known of this people, partly from tradition and partly from what I have seen of them as I have come up this valley from time to time during the last quarter of a century, has impressed me that they are a conservative, law-abiding, and trustworthy people. A people distinguished not so much by rapid growth as by the substantial character of such growth as they have made, not so much by rapid accumulation of wealth as by wise use of what they have accumulated, not so much by effort to do great things as by effort to do well the common duties of life. Such qualities are not accidental. Whence come they?

What relation has the fact of one hundred years of church history to this healthful condition? In what way has this history helped this development? It cannot be affirmed that these qualities are possessed only by church members. No; people outside

of the church as well have these qualities. But they have them because they share in the better light and better influences which the church has brought to the community. The church teaches to the present generation and conserves through all generations the spirit of the gospel, the spirit of good will to all, the spirit of help to others. This is the spirit of the gospel, and wherever it is found exemplified, whether in the church or out of the church, it is an outgrowth of the influence of the church in the community. On the other hand, nothing so dwarfs a community, other things being equal, as for each man to seek only selfish and personal interests. That is the spirit of the world without the gospel. To correct that spirit is the great mission of the church. To lift man up from this lower level Godward is its purpose.

The associations which gather about one hundred years of church history can never be measured or valued. Here have been four generations under the inspiration of this great fact. Here the children have been baptized. Here marriage vows have been plighted and solemnized. Here the last tribute of respect and the last solemn ritual have been pronounced. All ages in all these generations have carried into their home life and down through all its vicissitudes and trials the influence of this church home. It has sanctified the pleasures of the young and relieved the sorrows and afflictions of the old. Many have gone out into other states and some into other countries, carrying with them into the land of their adoption something of the

beauty and beneficence which this church had given to their life here. In childhood and youth, in manhood and age, at home and abroad, in the far West and out across the seas this influence has gone to uplift and encourage, to inspire the living and to comfort the dying. Stand by this old church building with all its hallowed and sanctified memories. Let it be protected against a spirit of misguided enterprise which sometimes impels a congregation to tear down a good church that serves well its purpose for no better reason than that it is no longer fashionable or "modern." Too often they will erect in its place a costly fabric which may be quite as much out of fashon with the life of the people as it is out of proportion to their ability to pay for it. Such enterprise finds no warrant either in philosophy or in Christianity.

We are met together, most of us the descendants of the pioneers who, a century ago, gave to this community the influence of Christianity, to do honor to their memory and also to be aided in our personal lives by the retrospect. We are reminded, upon the one hand, of the great changes which have taken place in that period of time, and, upon the other, of the permanence of the church. It is the one thing these pioneers gave to this people which has remained and will remain to them and to their children through all the generations. It alone has promise of perpetuity, and of final conquest. May we all be reminded of the responsibility which the better privileges and opportunities of our day impose upon each one of us! May our lives be so

directed and our influence so guarded as to render us worthy descendants of those who have gone before, and whose lives have contributed so largely to our well-being here and our hope in the better life of the future!

ADDRESS AS PRESIDENT OF LAYMEN'S ASSOCIATION OF METHODIST EPISCOPAL CHURCH, AT TYRONE, PENNSYLVANIA, SATURDAY, MARCH 23, 1907

Brethren of the Laymen's Association: I acknowledge the honor conferred in the action by which I was made president of your Association. I was not aware that this action had been taken until a few weeks ago, when your secretary wrote me, so that for a considerable part of the time I have held this high office without knowledge of it. I do not know whether it has ever occurred to you that there is an advantage in holding office without knowledge that you do hold it. Sometimes the effect of office is to turn a man's head; but when he has no knowledge of it there can be no such danger. As people see such a man they can say: "Well, there is a man whose head is not turned by public office." And it is not improbable that some such favorable comment may have been made by some of you as you have seen me from time to time during the past year. Of course, if you did so compliment me, it was done unwittingly, as you were not then aware that I had not knowledge of the honor conferred; and you will now have an opportunity to correct any such wrong impression if it should turn out to be necessary.

As I look over this program I see that all the others who take part have an advantage over me.

They all have a subject assigned them. I must speak wthout a subject assigned. This is doubtless due to the superior judgment and discretion which it is supposed the president of the Association either has or ought to have. At the same time it is a matter of difficulty, as most of you know, to determine what ought to be said of the many things which might be said by one who is given unlimited scope as to his subject. What I am going to say, principally, will be said because I think there is a reason for saying it.

I venture to suggest, first, that the social feature of our Association is one of great value. We do not see each other often during the year, some of us not at all. When we do meet we are likely to meet only for a moment and part. Or it may be we are then so engaged in other matters as to be measurably unfitted for the kind of association we may have here. It is the one time and place in the year when we may have opportunty and freedom to see each other and discuss together the interests of the great church which we represent, and thereby promote its interests, and at the same time be brought closer together and helped and benefited in our individual lives.

There is no other church which in its early history and by its very organization attached so much importance to the idea of its people meeting together and cultivating the society of each other as the Methodist Church. Accordingly, the church under Wesley was called a society. So when it was organized in this country. The inscription on the

old John Street Church, New York, is "The first church of the Methodist Society in America." The wise provision originated by Wesley and found in our Discipline today for organizing the whole society into classes of such size as that leaders could see them and advise with them and encourage them and help them to encourage each other, has in it the same idea.

I have often thought the class meetings of the early days were much less formal and were characterized by more freedom than in modern days, and that the decline of the class meeting was in no small degree due to that fact. There is a world of encouragement in the hand to hand, shoulder to shoulder and heart to heart work which can be supplied in no other way. The fathers believed in it. Let us believe in it and cultivate it. It has its root in the divine injunction, "that ye stand fast in one spirit, with one mind striving together for the faith of the gospel" (Philippians 1. 27). Then we are to be reminded how busy death is in our midst, and how soon the opportunity for thus meeting passes away. How many have gone in the past year? Let us also "be ready: for in such an hour as ye think not the Son of man cometh."

A second suggestion I make is that while it becomes us to oppose evil and wrong wherever we find it, let us not cultivate a spirit of fault-finding. Let us remember that there has never been an hour of the church's history when it was made up of perfect people. There never will be on this earth. Let us remember that it is an easy thing to find

fault. That the great business to which we are called, both preachers and laymen, is to discover the good that is in individual life and in the life of the church, and to so foster and promote that that it may overcome the evil in us and win its way to Christ. Anybody can find the evil. That work can be done without conversion and without divine guidance, but to find the good and promote that is a divinely appointed work, which so operates as to elevate both the worker and the object of his work. Those who have been distinguished for great achievement have expended their energies in discovering the good and cultivating it rather than in discovering the evil and denouncing it.

A third suggestion I make is that we are sometimes embarrassed by the effort to discover the right proportion or relative importance of different objects of church work. Many church workers, some preachers, some laymen, are wedded to special interests. Their environment, their training and, possibly, their prejudice so magnify this special interest that everything else is to them subordinate. They lose the sense of perspective and proportion. Their very qualification to efficiently present their special interest, sometimes correspondingly disqualifies them from judging wisely of the relative importance of other interests. Any one of our anniversaries, church extension, preachers' aid, or whatever it may be, is likely to be an illustration of this fact. It becomes us to recognize this condition and to realize that no one interest is paramount to everything else, and to discover by the

best light and the best experience we have the relative importance of each to the other. We have a great church. In its rapid growth both its interests and the methods by which they are served become more complex. The result is that no small amount of study and thought is required to work out the problem just suggested. But in this, as in everything else, we are to be guided to a correct conclusion by the best light available.

In conclusion, I desire to again express my great pleasure in the opportunity of meeting you and of presiding over your deliberations.

AT STATE SABBATH SCHOOL CONVENTION MASS MEETING IN BAPTIST CHURCH, HARRISBURG, PENNSYLVANIA, TUESDAY EVENING, MARCH 3, 1908 (ABSTRACT)

MR. CHAIRMAN AND FRIENDS OF THE SABBATH SCHOOL: I must speak briefly, as I must leave on an early evening train. I will introduce what I desire to say by asking this question: Why are we, the official representatives of the Sabbath school organization from nearly every county of the state, called here by the state committee? I am not aware that a Conference called and constituted as this is, has ever before assembled in the state. I think the answer to this question is that each one of us has some resources and equipment that no other one has. I firmly believe in the doctrine that each normal man or woman has some work he can do better than anyone else in the world. If you know anyone not so qualified in some respect or direction, you do not know him well enough to judge of his efficiency as a worker. It has been well said, "Man is like a piece of Labrador spar, which shows no luster as you turn it in your hand, until you come to a particular angle, when it glows with bright and beautiful colors."

All right progress and advancement proceed on a recognition of this fundamental fact. All efficient organization must be in obedience to this organic

law of our being—development of that which is peculiar to you supplemented by aid from others in those respects in which they are stronger than you. You not only have each peculiar resource and equipment but you also each have a special environment. There are lights and shadows which fall upon your pathway that the rest of us know nothing of. Nathanael had an experience under the fig tree which the world in two thousand years has never been informed of; yet it was known to his Master, and it alone constituted a certificate to acceptable discipleship. If we are faithful to the light given, we will reach farther and work farther into the future than we know. In the years agone the vine dressers on the upper Danube cut and dropped the cuttings from the vineyards there into the stream, not knowing or realizing their course or vitality in the future. Years after it was found that far down along the banks of this historic river, in the Black Forest, far away from human habitation, there was a beautiful fruitage from their unwitting prodigality.

We are dealing with eternal interests—the priceless possibility of young lives. Let this consideration inspire our purpose and give zeal to our action. Let us have faith in the divine power to give fruitage to our work. Let us avail ourselves of the light which has come to us that may not have fallen on others' pathways, and let us seek the light from others which has not come to us. We can never know the measure of doing whether for good or for evil. Let us be anxious that our work be for good,

and that it be a zealous, persistent, faithful piece of work while we have the day and the light before us. Let us work together in accordance with the divine injunction and in harmony with the divine plan, realizing that God is guiding the chariot of our destiny, and that in the end He will bring to pass the best realization of our hope and the highest ideal of our faith.

NOTES

1. This was the author's first speech in court, and was made less than a month after his admission, which was on May 24, 1869. It and the address following, made in the Supreme Court, were written out and committed to memory; the only instance in a practice of nearly forty years in which this course was adopted. This, not because there are not occasions when such method might effectively be pursued, but because, in our methods of trial it is ordinarily impracticable. In the trial of Queen Caroline by impeachment before the House of Lords, in 1820, distinguished both for the important questions of evidence then first authoritatively settled, and for the distinguished array of counsel, Lord Brougham, chief counsel for the queen, wrote and rewrote his final address, although he was then, perhaps, the most versatile man in England. This murder trial resulted in a verdict of murder in the first degree, which was followed by a motion for a new trial, to which the then district attorney agreed, and the defendant thereupon pleaded guilty to that charge, and was sentenced to the full term of twelve years. Long before the end of his term he was pardoned, and became an industrious and reputable citizen, fully justifying the clemency which had been extended to him.

2. First speech in Supreme Court. This case reached that court a year earlier in March, 1874,

but was continued on application of opposing counsel for the purpose of preparing a supplement to his paper book or brief, which was followed by a supplement to the author's brief in reply. The opinion and decree of the Supreme Court on this appeal is recorded in Vol. 78, Penn. State Reports, p. 298.

3. This was the ejectment of Martin vs. Hughes. This argument was carefully thought out, but delivered extemporaneously, and five days afterward, October 9, 1899, dictated to a stenographer as delivered. The special purpose of reproducing it at that time was that the author then knew more of the case than he would know at a later date, and desired to perpetuate many of the facts therein stated for use in the event that a new trial would be granted by the Court of Appeals. This case was tried the first time in the United States Circuit Court, at Pittsburg, on November 11 to 21, 1895, occupying eleven days, and resulting in a disagreement of the jury. There was a second trial May 13 to 21, 1896, occupying nine days, and resulting in a verdict and judgment for Hughes, the defendant. From this judgment a writ of error was taken to the United States Circuit Court of Appeals, at Philadelphia, by Martin, and resulted in a reversal of that judgment on January 9, 1899.

The final trial below occurred May 17 to June 5, 1899, occupying in all, including the deliberations of the jury, twenty days, and resulting in a verdict for Hughes. From this judgment a writ of error was again taken by Martin, which was heard in Phila-

delphia, on October 4, 1899, when the address here referred to was delivered. The opinion and final decree of the Court of Appeals are reported in Vol. 98 of Federal Reports, p. 556; also in Vol. 39 of United States Circuit Court of Appeal Reports, p. 160. The author was not employed in the two former trials, and not until about ten days prior to this final trial at Pittsburg.

This was incomparably the most interesting ejectment ever tried by the author; not because of the amount involved, though that was considerable, but by reason of the questions presented and the relation of ancient private documents to the location in dispute. The land claimed was a strip 44 perches wide, east and west, and 273 perches long, north and south, and containing about seventy-five acres. Martin, the plaintiff, claimed it as a part of the eastern side of the Isaac Brannan survey, and Hughes, the defendant, claimed it as a part of the western side of the James Duncan survey, which was an adjoiner of the Brannan on the east. The location appears by a sketch, to which reference is here made. The original proprietor under whom both parties claimed, was Dr. William M. Smith, one of the largest landowners in the state, and who is said to have founded the town of Huntingdon, Pennsylvania. On the last preceding trial the court below admitted testimony of marks and monuments of 1808 for the purpose of location of Isaac Brannan survey, which had been officially returned as located in 1794. For this ruling the court below was reversed, the Court of Appeals

holding that the 1808 monuments could not be used for the purpose of locating a 1794 survey. The great contest in this last trial was on the admission and effect of these 1808 monuments. They were then alleged to be material, notwithstanding the opinion of the Court of Appeals on the former trial, because of two facts not then appearing in evidence, but offered on this trial, showing why the final location was delayed till 1808. One was a caveat proceeding in the land office, by which the final location of Smith's warrant was delayed for some years. The other was a partition proceeding between the commissioners of John Nicholson, who had been a joint owner with Smith, which proceeding terminated by a partition deed on March 10, 1808. This was followed by a letter from Smith to Vickroy, who was both agent for Smith, and deputy surveyor, *to proceed and complete the location.* The papers in these two proceedings and two old drafts, having thereon the handwriting of Smith, which drafts designated the location as claimed by Hughes, were the subject of much controversy, occupying five days of the trial before any surveyors were called to the stand.

In addition to the admission and effect of these old papers, which had with much research and difficulty been gathered up after the lapse of more than a century, were the questions of the effect of a call by one survey for another which did not adopt the monuments of that other, and the effect of instruction by the court to the jury that declarations of a former owner respecting boundary were of weight

for their consideration. The jury were out from Thursday morning, the first of June, to Monday morning, the fifth, until they agreed upon a verdict. The case was tried for Martin by Judge Heydrick, of Franklin, Pennsylvania, the late Judge Furst, of Bellefonte, Pennsylvania, and by the late Hon. Alvin Evans, of Ebensburg, Pennsylvania, and for Hughes by M. D. Kittell, Esq., Ebensburg, Pennsylvania, and the writer. The trial below was before Judge Buffington, and the hearing in the Court of Appeals was before Judges Acheson and Dallas of Pennsylvania and Gray of Delaware, Acheson delivering the opinion of that Court.

4. The death of Grant brought to the recollection of people, not only old soldiers but everybody, so many of the kindlier qualties of his nature, that the prejudices engendered by the bitterness of the war were largely dissipated. The influence of his book also in this respect was quite remarkable.

5. Test was the comedian of the bar. He had no predecessor, and now after nearly a quarter of a century since he passed away, he has had no followers, and will have none. With a limited knowledge of the law and a remarkable knowledge of human nature and a humor that was as indefinable as it was irresistible, he wielded an influence that many men of more pretension failed to acquire or exert.

6. Judge Barrett was an old-time lawyer, and the last of that class in our midst. He began many years before Judge McEnally, the present Nestor

of the bar. He practiced with Josiah Smith and the elder Wallace, the pioneers, and was the connecting link between the past and present bar. He was a man of commanding presence, indefatigable industry, and of plausible and persuasive speech.

7. Senator Wallace was the most able, industrious, and aggressive lawyer we ever had at the Clearfield bar. His political prominence, of course, gave him prestige; but apart from this he was a very strong lawyer. He was a born leader, and just as much so at the bar as elsewhere. Up until he had been in the State Senate for some years he was an indifferent speaker, but made more improvement in this regard in his later years than any man we know of. While not an orator, he became a dignified, clear, and forceful speaker. The author was not permitted to be present at the bar meeting which took action on Senator Wallace's death, by reason of his attendance at the General Conference at Cleveland. This address was prepared and forwarded from that place and read at the meeting by S. V. Wilson, Esq.

8. General McCormick was a resourceful and accomplished lawyer. He was born to the profession. He had the habit, the method, and the appearance of a lawyer. Both in Congress and as Attorney-General of the state he exhibited abilities of a high order, and made his impress on both State and Federal legislation.

9. Judge Mayer will long be remembered for his urbanity, his ready knowledge of the law, and his

unusual capacity to apply that law to complex facts. He had for a great portion of his long term on the bench a district in which some of the most difficult questions arose, and he met and disposed of them well.

10. William D. Bigler was at the time of his death the most popular and, perhaps, the most useful man in this county. His quiet manner and his capacity to do a large amount of business without attracting much attention rendered it necessary to know him well to appreciate the force and value of his character and life. To those who did know him well he was a most charming personality and a most valuable and useful man.

11. George A. Jenks had the unusual distinction of having rendered public service during his single term in Congress, which attracted the attention of the whole country. He had the advantage, too, of having rendered this service directly in the line of his professional training and ambition—in the Belknap case, and in the Electoral Commission case, but he was nowhere so much at home and so much himself as in the trial of causes in the widely extended country practice to which he gave the best years and the best energies of his life.

12. This banquet was intended to celebrate the opening of this new court, which was then holding its first session at Williamsport. It was a fine collation and an interesting occasion, worthy the bar and people of that enterprising city. This address was extemporaneous and dictated to a stenographer two days later, as delivered.

13. This banquet is an annual institution in Jefferson County, and tends to promote good fellowship among the lawyers and to maintain a proper regard for them and their work.

14. This was the Centennial Fourth and was greeted by a patriotic crowd of five thousand people. One incident of the day was an address by the pioneer, Dr. J. P. Hoyt, who came to the county in 1819, and whose reminiscences were very interesting. The other addresses in this classification will require no comment.

15. This address was delivered extemporaneously, and four days later, on May 13, 1871, was written out as delivered. The circumstances attending the delivery of the other educational addresses sufficiently appear by the title and the addresses themselves. The last two are here inserted, not only because of their merit, but especially because of their author's relation to the writer, as already indicated in the Preface. To them we will refer here briefly.

At the Greenburg Association, in 1869, where the first of these two addresses were delivered, there were present five hundred and sixty teachers besides many other instructors and visitors, the largest number of teachers ever present at a State Association before or since, except the Association in Philadelphia, in 1872, which was only swelled beyond this number by the large attendance of city teachers. Besides the five hundred and sixty were present many other instructors, including the state superintendent of Ohio (who delivered an address

the same evening) and many distinguished visitors. An abstract of Miss Reighard's address was published in the Pennsylvania State Journal of September, 1869.

The second address, in 1871, in her native city, was published in full in the State Journal of September, 1871, and also in some of the Williamsport papers of that time, accompanied by commendatory notices of her effort. The address of 1869 is the more practical of the two, and presents strongly the necessity for an education that reaches all classes, and the danger of that method of teaching which encourages false ambition. The address of 1871 is better phrased and more finely written.

The Address of Welcome to the Pennsylvania State Teachers' Association, at Clearfield, Pennsylvania, in 1887, by the author, was also published in the Pennsylvania State Journal of September, 1887, and in some of the Clearfield papers.

16. This address was prepared *for* delivery at the General Conference of 1888, but not then delivered, because of his inability to obtain recognition, although he sat on the fifth seat from the platform. He was one of the special committee to whom the woman question was referred by that Conference, and also a member again of the special committee to whom the question was referred eight years later by the General Conference of 1896, at Cleveland. In 1888 the committee stood two to one against the admission of women as delegates. In 1896 the com-

mittee stood two to one in their favor. This was the first General Conference of which the writer was a member. After that he had little trouble obtaining the floor when he wanted it. To know how to call out in such a way as to attract the eye and ear of the chairman, to have some reputation for being able to use the floor well when obtained, and to have sufficient voice to so speak as to be heard, are among the elements which enter into this feat of obtaining the floor in a large and busy legislative body.

17. There was back of the debate in which this address was made more than readily appears. The writer was a member of the special committee to whom was submitted the organization and the formulation of a constitution of the Epworth League. After a prolonged contest in the committee to which reference is made, in the book entitled "Four Wonderful Years," he was enabled to obtain an amendment to the third article of the constitution, as proposed by the committee, by which the existence of other young people's societies in the church was recognized. The committee in the first instance outvoted the writer and reported the constitution for adoption without this amendment. Finding that there would be a minority report, and that there was no probability of the constitution as reported being adopted, the committee, which had ended its deliberations, was reconvened, and the amendment agreed to with but three dissenting votes, it being then also agreed or understood that no minority report would be presented. The reso-

lution upon which this speech was made, was a final effort, notwithstanding the circumstances stated, to strike out this amendment.

The writer has here stated but in barest outline the facts explanatory of the motion or resolution to which this address relates, without any desire to rekindle any of the bitterness which attended the debates in the committee, and of which there was some reflection in the debate on the floor of the Conference. So far as he knows, all the animosity engendered by that contest has properly long since been forgotten. The next summer the writer was invited by some of his most pronounced opponents who were on the committee on program to deliver one of the principal addresses at the International Epworth League Convention, at Cleveland, Ohio, which he did. He and his family were then and since members of the Epworth League, had no identity whatever with the Christian Endeavor Society, as was surmised by his opponents, had never been present at such a meeting, but he felt that the many hundreds of such societies then existing in the church should have right to such existence therein until such time as they so changed their relation as to become members of the Epworth League, which so many of them have since done. After sixteen years' experience he has no question at all of the wisdom as well as the policy of the action then taken. In fact, he is not aware of any service rendered his church of more value than the adoption of this amendment to the third article which involved such a long and somewhat bitter

controversy and in which he was, at least for a time, so greatly misunderstood.

18. This address was also delivered at Garrett Biblical Institute, Evanston, Illinois, March 16, 1893, and before the Central Pennsylvania Methodist Episcopal Conference, at Williamsport, Pennsylvania, March 20, 1896, and at Huntingdon, Pennsylvania, December 2, 1906.

It was inspired by the attempt to remove the "time limit" begun in New York General Conference, in 1888, and successfully carried out for the time being in the Chicago General Conference of 1900. The attitude of the Philadelphia Conference, in 1892, was the reason why the author selected this subject when invited to address that Conference in the spring of 1893. He was much gratified some years later to learn that by a large majority that Conference had instructed its delegates to the General Conference to stand by the time limit.

19. This address, with some modification, was also delivered at the Ecumenical Council, in City Road Chapel, London, on September 13, 1901, and is published in the official Report of Proceedings of that Council, page 308. It was a candid and studied effort to present the then (1893) situation and one need of the temperance work. It came at a crisis in the work due to the honest zeal of the prohibition organization, upon the one hand, and their failure, on the other, to secure the influence and coöperation of the whole force of temperance workers because of the natural unwillingness of

people to abandon their party affiliation. An illustration of this failure appeared in Pennsylvania in 1889. In June of that year, for the first time, the people of that state had an opportunity to vote upon constitutional prohibition, unencumbered by any other question and unaffecting party allegiance. The central section of the state voted for prohibition, but this vote was overcome by that of the large cities. In the whole state the vote for prohibition was over 296,000. It was claimed by the friends of temperance, and no doubt the claim was just, that by manipulation of the old party leaders on both sides this vote as reported officially was much less than the actual vote. In the fall of that year the prohibition organization put up its party ticket and secured a vote of less than 22,000 in the state. In other words, there were then in Pennsylvania over 274,000 people who were not only in favor of temperance, but were in favor of prohibition, and strongly enough in favor of it to go to the polls and vote for it, who would not vote the prohibition ticket. Still another way of stating the then situation is that the prohibition organization, having the benefit of the wide discussion of constitutional prohibition which was had during the early summer in the various counties of the commonwealth, was in the fall of that year able to secure less than seven and one half per cent of the prohibition vote of the state!

As showing that this address delivered at the city of Cleveland, in July, 1893, was not untimely, and that it may have been helpful to the effort to unite

the temperance workers in a method of operation where all, or, at least, the greater number of them, could act unitedly, the author here notes the fact that in that state (Ohio), and in that year (1893), the Anti-Saloon League was organized. In this connection attention is called to a recent review (1907) of the history and work of this organization by its president, Rev. Dr. P. A. Baker, from which is here quoted this significant language: "But latterly men of the more practical and far-seeing type have come to recognize that the problem is too great for partisan treatment. Above *fourteen* years ago it became evident to representative men of different party affiliations and denominational faiths that it would require the united efforts of the friends of temperance reform in all parties and in all denominations to successfully meet and turn backward the rising tide of drink traffic. The crystallization of this growing feeling resulted in the formation, at Oberlin, Ohio, in 1893, of the Anti-Saloon League movement. This movement has proven itself logical, sane, and successful. Its methods of operation are, first, agitation or educational; second, the securing of needful legislation, and third, the enforcement of laws when enacted. . . . The League is now organized in nearly every state in the Union, with about one hundred and thirty well-equipped offices, and employing, including public speakers, attorneys, stenographers, and mailing clerks, about four hundred people. In addition it maintains a well-equipped office at Washington to look after needed temperance legis-

lation in Congress. The temperance problem is being studied from a new viewpoint, as compared with a third of a century ago. Then the emphasis was placed upon the moral phase of the question almost wholly. At present the appeal is from the economic and political standpoint. Business men are learning that the presence of the saloon in the community is a hindrance rather than a help to business. Men of affairs are coming to realize that the complex responsibilities of modern life cannot be safely intrusted to men whose brains are muddled by strong drink."

20. This address was also delivered at Clearfield, Pennsylvania, March 29, 1900. It is an effort to show the need of careful organization in church work, and to exhibit some of the principles upon which effective organization depends.

21. This was an extemporaneous address, reported officially at the time as delivered. It will be seen that it relates to a subject which was the occasion of debate at this Conference and in the preceding Conference of 1892. Prior to 1892 Conference the writer had brought the matter to the attention of the church in an article in the Christian Advocate. The first suggestion of separate seating came from an article written by Bishop Walden. After the author had appeared in his article he was corresponded with by the late Dr. George R. Crooks and the late Dr. John Lanahan, both of whom aided by their powerful influence in the fight made in the Conference of 1892. On the opening session of that Conference a resolution

was presented providing for separate seating of lay delegates, which was adopted after a spirited debate. There was separate seating also to a large extent in the General Conference of 1896. The hostility of the clergy to this method of seating, aided by some of the laymen, prevented successful effort to secure separate seating after 1896, and at the General Conference of 1900, when a large influx of new lay delegates were admitted in consequence of the provision for equal lay representation then made operative, it was well-nigh abandoned. There can be no reasonable question but that separate seating contributes to more independence and freedom of action, especially on that class of questions in which the clergy have personal interest, and for that reason are not as well qualified to act disinterestedly and judiciously. The plea so affectionately and pathetically urged by the clergy that separate seating tends to promote division and differences between the two orders, and to destroy the brotherly feeling that should prevail, is wholly unfounded and aside from the question.

22. This extemporaneous address and part of the interruption attending it, is here inserted principally for the purpose of showing under what adverse circumstances a speaker is at times compelled to speak, if at all. The author nearly a week before the date of this address had obtained leave of absence (the only instance in five General Conferences) to go back to Pennsylvania to try a cause in another county than his own, in which an arrangement for continuance because of the Confer-

ence had failed, as he had been notified by telegram. Returning from this trial, he reached the Conference immediately before the morning recess, and found under discussion a question upon which he desired to speak. Without preparation he realized that he must speak then, if at all, on that question. Having obtained recognition immediately before the intermission, he was obliged to speak under the further disadvantage of the disorder attendant upon the outgoing and incoming of delegates, and the other interruptions, part of which are indicated by the official report of the address.

23. This address, also, in a modified form, was delivered before the Ecumenical Council, in City Road Chapel, London, September 16, 1901, and is published in the official report of proceedings of that Council, page 469.

24. This address was extemporaneous only in the sense that there was no written preparation. The author had knowledge for some hours before that he was to make this presentation address, and in that time formulated in his mind what he intended to say, including the language in which it was to be presented. In an address of this length he has frequently done this without any written preparation, and been able afterward to reproduce the address substantially and almost literally as delivered. This address he dictated the next day to a stenographer as delivered.

25. This address was prepared for the International Epworth League Conference, at Detroit, on the evening of July 18, 1903, the subject having

been selected by the program committee, as was done ten years before at the same kind of a Conference in the city of Cleveland. The author was prevented from being at Detroit and delivering this address by the crisis at that date of a most serious illness from which it was then thought he could not recover. An abstract was published in some of the Western church papers, but the address has never before been published in full. He delivered it before the Young Men's Christian Association, at Clearfield, Pennsylvania, September 18, 1903. He was invited to deliver it at Reading, Pennsylvania, before the Evangelical Alliance Association, on December 10, 1903. Not being able to be there, this address was read on that occasion by the then state secretary, the late Rev. W. C. Webb. He also delivered it before the Railroad Young Men's Christian Association, at Tyrone, Pennsylvania, Sunday afternoon, April 29, 1906, and in the Methodist Episcopal Church at Grand Junction, Colorado, on Sunday evening, August 4, 1907.

26. This extemporaneous address was made in opposition to a resolution to declare Article 248 of the Discipline, adopted in 1872, and relating to the subject of amusements, unconstitutional. This action was regarded by the writer as both unwarranted and impolitic, for the reasons therein briefly stated.

27. This was the old church of which the author's grandmother, Mary Ewing Murray, was a communicant before she came to this county, on the 7th of April, 1821, and in whose memory he, some

years ago, had placed in that church a memorial window, with this inscription:

MARY EWING MURRAY

Born December 10, 1790;
Married John Murray January 14, 1807;
Died Clearfield County, April 8, 1871.

"I have been young, and now I am old; yet have I not seen the righteous forsaken, nor his seed begging bread."

28. This was an entirely extemporaneous address, and the crude abstract of it here given was dictated to a stenographer ten days later, on March 13, 1908.

E. W. Lowdell.
Nov. 12. 1934—

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